



भारत का राजपत्र

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सं० 22]

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No. 22]

NEW DELHI, SATURDAY, MAY 30, 1981/JYAISTHA 9, 1903

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक
प्रावेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

(कम्पनी कार्य विभाग)

नई दिल्ली, 16 मई, 1981

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 21 मई, 1981

का० आ० 1599 —एकधिकार एवं निबंधनकारी व्यापार प्रथा अधिनियम 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा उक्त गुगल एण्ड आबकारी कम्पनी लि० के कांयन अधिनियम के अस्तित्व पंजीकरण (पंजीकरण प्रमाण-पत्र संख्या 1292/76) के निरस्तिकरण को अधिसूचित करती है।

[सं० 16/37/80-एम० III]

चन्द्रकान्त खुशालदाम, निदेशक

का० आ० 1600 —केन्द्रीय सरकार, वण्ड प्रक्रिया संहिता (संशोधन) अधिनियम, 1978 (1978 का 45) द्वारा यथा संशोधित वण्ड प्रक्रिया संहिता, 1973 की धारा 24 की उपधारा (8) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, सर्वश्री पी० पी० खम्बट्टा और श्री ए० पाण्डेय, मुम्बई अधिवक्ताओं को सेतीमवे न्यायालय, एस्प्लेनेड, मुम्बई में माहिम गोल्ड कांसिपरेसी मामले सं० 111/सी० डब्ल्यू/78 का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं० 146/81-सीमा-शुल्क का० सं० 682/34/77-सीमा-शुल्क-8]

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 16th May, 1981

S.O. 1599.—In pursuance of sub-section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s The Deccan Sugar and Abkhari Company Limited under the said Act (Certificate of Registration No. 1292/76).

[No 16/37/80-M. III]

C. KHUSHAI DAS, Director

MINISTRY OF FINANCE

(Deptt. of Revenue)

New Delhi, the 21st May, 1981

S.O. 1600—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 as amended by the Code of Criminal Procedure (Amendment) Act, 1978 (No. 45 of 1978) the Central Government hereby appoints S/Shri P. P. Khambatta and B. A. Pandaya, advocates of Bombay, as Special Public Prosecutors to conduct Mahim Gold Conspiracy case No. 111/CW/78 in the 37th Court, Esplanade, Bombay.

[No. 146/81-Customs F. No. 682/34/77-Cus. VIII]

का० आ० 1601.—केन्द्रीय सरकार, बण्ड प्रक्रिया संहिता (संशोधन) अधिनियम, 1978 (1978 का 45) द्वारा तथा संशोधित बण्ड प्रक्रिया संहिता, 1973 की धारा 21 की उपधारा (8) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, श्रीकृष्ण कान्त एम० देसाई, मुम्बई अधिवक्ता को उन्नीसवें न्यायालय, एस्लेनेड, मुम्बई में कस्टम्स मामला सं० 46/सी० इस्स्यू/66 का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं० 147/81-रामा-मुल्क का० सं० 682/34/77-सीमा-मुल्क-8]

रमेश रामचन्द्र, अवसर सचिव

S.O. 1601.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 as amended by the Code of Criminal Procedure (Amendment) Act, 1978 (No. 45 of 1978), the Central Government hereby appoints Shri Krishnakant M. Desai, Advocate of Bombay, as a Special Public Prosecutor to conduct Customs case No. 46/CW/66 in the 19th Court, Esplanade, Bombay.

[No. 147/81-Customs F. No. 682/34/77-Cus. VIII]

RAMESH RAMACHANDRA, Under Secy

(व्यय विभाग)

नई दिल्ली, 14 मई, 1981

का० आ० 1602.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिये प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में भारतीय लेखा तथा लेखापरीक्षा विभाग के निम्नलिखित कार्यालयों को, जिसके कर्मचारीबृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:

1. महालेखाकार-II, उत्तर प्रदेश, लखनऊ शाखा
2. सदस्य लेखापरीक्षा बोर्ड एवं पदेन निदेशक, वाणिज्यिक लेखापरीक्षा, देहरादून, दिल्ली शाखा
3. सदस्य लेखापरीक्षा बोर्ड एवं पदेन निदेशक, वाणिज्यिक लेखापरीक्षा, भोपाल, दिल्ली शाखा।

[सि० सं० ए०-11019/3/81-ई० जी०-1]

एस० के० दाम, अवसर सचिव

(Department of Expenditure)

New Delhi, the 14th May, 1981

S.O. 1602.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (use for the official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices of the Indian Audit and Accounts Department, the Staff whereof have acquired the working knowledge of Hindi:

1. Accountant General-II, Uttar Pradesh, Branch Office, Lucknow.
2. Member Audit Board and Ex-Officio, Director of Commercial Audit, Dehradun, Branch Office at Delhi.
3. Member Audit Board and Ex-Officio Director of Commercial Audit, Bhopal, Branch Office at Delhi.

[No. A-11019/3/81-EGI]

S. K. DAS, Under Secy.

(आर्थिक कार्य विभाग)

शुद्धिपत्र

नई दिल्ली, 25 मई, 1981

का० आ० 1603.—भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग, नई दिल्ली की अधिसूचना सं० एफ० 4/36/79-बी० एन० पी० दिनांक 17-4-1980 के साथ भारत के राजपत्र के भाग जो—

खण्ड-3, उप-खण्ड (ii) में दिनांक 24-5-80 के पृष्ठ 1463 पर प्रकाशित का० आ० 1418 की अनुसूची 1, स्तम्भ एक (1) में—

“डिप्टी इंजीनियर” के स्थान पर “उप कार्य अभियंता” पढ़ा जाये।

स्तम्भ एक (3) में—

“उपर्युक्त पदों से श्रेष्ठ 260-400 रुपये के ग्रेड के सभी वर्गीकृत पद” के स्थान पर “उपर्युक्त पदों को छोड़कर रुपये 260-400 और इससे अधिक वेतनमान के सभी वर्गीकृत पद” पढ़ा जाये।

पैग दो-स्तम्भ एक (1) में:—

“260-400 रुपये से कम के ग्रेड के सभी अवर्गीकृत पद” के स्थान पर “रुपये 260-400 से कम वेतनमान के सभी वर्गीकृत पद” पढ़ा जाये।

स्तम्भ एक (2) में:—

“260-400/260-350 रुपये से कम सभी वर्गीकृत औद्योगिक पद” के स्थान पर “रुपये 260-400/260-350 से कम वेतनमान के सभी अवर्गीकृत औद्योगिक पद” पढ़ा जाये।

[संख्या एफ० 4/36/79-बी० एन० पी०]

सी० जी० पत्रोस, अवसर सचिव

(बैंकिंग प्रभार)

नई दिल्ली, 15 मई, 1981

का० आ० 1604.—सरकारी परिसर (अनधिकृत अधिभोगियों का निष्कासन) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार, वित्त मंत्रालय, बैंकिंग विभाग की दिनांक 1 नवम्बर, 1974 की अधिसूचना संख्या सं० आ० 5290 का अधिकमण करते हुए, केन्द्रीय सरकार एतद्वारा नीचे दी गयी सारणी के कालम (1) में वर्णित अधिकारी को, जिसका वर्जा सरकार के राजपत्रित अधिकारियों के समकक्ष है, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है जो उक्त सारणी के कालम (2) में विनिर्दिष्ट सरकारी परिसरों के संबंध में उक्त अधिनियम के द्वारा प्रवृत्त शक्तियों का प्रयोग करेगा और उस अधिनियम के द्वारा अथवा अन्तर्गत सम्पदा अधिकारियों को दीये गये कर्तव्यों का निष्पादन करेगा:—

सारणी

अधिकारी का पदनाम	सरकारी परिसरों के वर्ग और कार्यक्षेत्र की स्थानीय सीमाएं
(1)	(2)
मुख्य विधि अधिकारी स्टेट बैंक ऑफ़ पटियाला, मुख्य कार्यालय, पटियाला	भारत में किसी भी स्थान पर स्टेट बैंक ऑफ़ पटियाला के परिसर अथवा इस बैंक द्वारा अथवा उसकी ओर से पट्टे पर लिये गये अथवा अधिगृहीत किये गये परिसर।

[संख्या 7/20/81-बी० प्रो०-III]

एन० डी० यन्ना, अवसर सचिव

(Banking Division)

New Delhi, the 15th May, 1981

S.O. 1604.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and supersession of the notification.

of the Government of India in the Ministry of Finance, Department of Banking No. S.O. 5290 dated the 1st November, 1974, the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being officers equivalent to the rank of a gazetted officer of Government, to be estate officers for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on the estate officers by or under the said Act in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the officer	Categories of public premises and Local limits of Jurisdiction
1	2
Chief Law Officer, State Bank of Patiala Head Office, Patiala.	Premises belonging to or taken on lease or requisitioned by or on behalf of State Bank of Patiala at any place in India.

[No. 7/20/81-B.O.III]
N.D. BATRA, Under Secy.

केन्द्रीय उत्पादन शुल्क समाहर्तालय

इलाहाबाद, 7 मार्च, 1981

सीमा-शुल्क

का० भा० 1605—सीमाशुल्क अधिनियम, 1962 (1962 के 52) की धारा 2, उपधारा (34) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए समाहर्तालय, सीमाशुल्क एवं केन्द्रीय उत्पादन शुल्क, इलाहाबाद एतद्वारा नीचे दी गई सारणी के कालम एक में उल्लिखित अधिकारियों की सारणी के कालम 2 में संबंधित इवराज में दी गई विभिन्न धाराओं में संदर्भित "उपयुक्त अधिकारी" का कार्य सौंपते हैं।

सारणी

1	2
अधीक्षक, सीमाशुल्क एवं केन्द्रीय उत्पादन शुल्क	धारा 60, 62 एवं 64
सहायक समाहर्ता, केन्द्रीय उत्पादन शुल्क एवं सीमाशुल्क	धारा 67
अधीक्षक, सीमाशुल्क एवं केन्द्रीय उत्पादन शुल्क (सहायक समाहर्ता द्वारा कार्योन्मि अनुसोदन के अधीन)	धारा 68
सहायक समाहर्ता, सीमाशुल्क एवं केन्द्रीय उत्पादन शुल्क	धारा 69

[पत्र संख्या VIII(48) 23-सी० शु०/80/3618]
कैलाश सेठी, सहायक समाहर्ता (निवारक) कृते समाहर्ता

Central Excise Collectorate
Allahabad, the 7th March, 1981

CUSTOMS

S.O. 1605:—In exercise of the powers conferred by sub section (34) of section 2 of the Customs Act, 1962 (52 of 1962), the

Collector of Customs and Central Excise, Allahabad hereby assigns to the officers mentioned in column 1 of the Table below the function of the "Proper officer" referred to in the various sections of the Customs Act, 1962 given in the corresponding entry in column 2 of the Table.

TABLE

1	2
Superintendent of Customs and Central Excise	Section 60, 62 and 64.
Assistant Collector of Customs and Central Excise.	Section 67.
Superintendent of Customs and Central Excise (Subject to post facto approval by A. C.)	Section 68.
Assistant Collector of Customs and Central Excise.	Section 69.

[C. No. VIII(48)23-CUS/80/3618]

K. SETHI, Assistant Collector (Prev)
For Collector.

केन्द्रीय उत्पाद शुल्क और सीमा शुल्क बोर्ड

नई दिल्ली, 30 मई, 1981

सीमा-शुल्क

का० भा० 1606.—केन्द्रीय उत्पाद शुल्क और सीमाशुल्क बोर्ड, सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मध्य-प्रदेश राज्य में इंदौर को भाण्डागार स्टेशन के रूप में घोषित करता है।

[अधिसूचना सं० 148 का० सं० 473/154/80-सी० शु०-7]
एन० के० कपूर, अवसर सचिव

CENTRAL BOARD OF EXCISE AND CUSTOMS

New Delhi, the 30th May, 1981

CUSTOMS

S.O. 1606.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Indore in the State of Madhya Pradesh to be a warehousing station.

[Notification No. 148/81-Cus. F. No. 473/154/80-Cus.-VII]
N. K. KAPUR, Under Secy.

बाणिज्य मंत्रालय

नई दिल्ली, 30 मई, 1981

का० भा० 1607.—केन्द्रीय सरकार, निर्यात (स्वालिटी, नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात्:

1 संक्षिप्त नाम और प्रारंभ :—

(1) इन नियमों का संक्षिप्त नाम निर्यात निरीक्षण परिषद मस्यु तथा सेवा-निवृत्ति उपदान नियम, 1981 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2 परिभाषाएं:—इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो :—

(क) "अधिनियम" से निर्यात (स्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है।

- (ख) "परिषद्" से अधिनियम की धारा 3 के अधीन स्थापित नियमित निरीक्षण परिषद् अभिप्रेत है।
- (ग) "अभिकरण" से अधिनियम की धारा 7 के अधीन स्थापित नियमित निरीक्षण अभिकरण मुख्य/कलकरता/कोषीन/बिल्ली और मद्रास अभिप्रेत है।
- (घ) "अध्यक्ष" से नियमित निरीक्षण परिषद् का अध्यक्ष अभिप्रेत है।
- (ङ) "निदेशक" से परिषद् का निदेशक, निरीक्षण और क्वालिटी नियंत्रण अभिप्रेत है।
- (च) "सम्पूरित सेवा के प्रत्येक वर्ष" से कर्मचारी द्वारा परिषद् में उसके पद ग्रहण की तारीख से संगणित 12 मास की सेवा की अवधि अभिप्रेत है।
- (छ) "कर्मचारी" से परिषद् का पूर्णकालिक नियमित कर्मचारी अभिप्रेत है जिसका नाम परिषद् के वेतन-पत्रक पर है।
- (ज) "कुटुम्ब" के अंतर्गत निम्नलिखित होंगे :—
- (1) पुरुष कर्मचारी की दशा में पत्नी,
 - (2) महिला कर्मचारी की दशा में पति,
 - (3) पुत्र,
 - (4) अविवाहित और विधवा पुत्रियाँ इसके अंतर्गत सीतेले बालक और दत्तक बालक हैं।
 - (5) 18 वर्ष की आयु से कम के भाई इसके अंतर्गत सीतेले और अविवाहित तथा विधवा बहनें भाई और सीतेली बहनें हैं।
 - (6) पिता,
 - (7) माता,
 - (8) विवाहित पुत्रिया, और
 - (9) पूर्व-मृत पुत्र के बालक।
- (झ) "निधि" से इसके नीचे अनुबध्दित उपदान निधि अभिप्रेत है।
- (ट) "स्वाधी पूर्ण निश्चयता" से किसी भी रोग या क्षात के परिणाम-स्वरूप हुई निश्चयता अभिप्रेत है जो परिषद् की राय में संबंधित कर्मचारी को परिषद् में सेवा करने के लिए पूर्णतः अयोग्य करती है।
- (ठ) "अर्हक सेवा" से कर्मचारी द्वारा 18 वर्ष की आयु पूरी करने के पश्चात् नियमित आधार पर की गई सेवा अभिप्रेत है जिसके अंतर्गत परिषद् में उसके नियोजन या आमेलन की तारीख से परीक्षा की अवधि भी है किन्तु वेतन के बिना असाधारण छुट्टी की इस प्रयोजन के लिए गणना नहीं की जाएगी।
- (ड) "उपलब्धियों" से वेतन स्थापनापन्न वेतन, विशेष वेतन, व्ययविक्रम वेतन, मंहगाई वेतन या विशेष रूप से घोषित ऐसी कोई अन्य राशि अभिप्रेत है जो कर्मचारी अपनी सेवा निवृत्ति/मृत्यु की तारीख से ठीक पूर्व प्राप्त कर रहा था। उपदान के प्रयोजन के लिए इस प्रकार परिकल्पित उपलब्धियाँ अधिक से अधिक 2500 रु० प्रतिमास होगी।
- (डू) "कार्यालय का प्रधान" से निदेशक द्वारा उम रूप में घोषित अधिकारी अभिप्रेत है।

3 नियमों का लागू होना—ये नियम नियमित निरीक्षण परिषद् व सभी पूर्णकालिक और नियमित कर्मचारियों को लागू होंगे जो इस अधिसूचना के जारी होने की तारीख को सेवा में थे और नियमित निरीक्षण

परिषद् अभिवायी भविष्य निधि नियमों द्वारा शासित हैं और निम्नलिखित का अपवर्जन किया जाएगा :—

- (1) आकस्मिक और अनियमित कर्मचारी।
- (2) प्रतिनियुक्ति पर अभिकरण के कर्मचारियों से भिन्न कर्मचारी और सरकारी सेवक।
- (3) सचिवा पर कर्मचारी।
- (4) शिक्षु और प्रशिक्षणार्थी।
- (5) पुनः नियोजित व्यक्ति।

परन्तु ये नियम उन व्यक्तियों को लागू नहीं होंगे जो पेशन स्कीम के आरम्भ होने के पश्चात् सेवा में आए।

4 पात्रता.—किसी पात्र व्यक्ति को निम्नलिखित परिस्थितियों में नियमों के अधीन उपदान दिया जाएगा :—

- (क) पद की समाप्ति पर छटनी या स्थापन की कमी।
- (ख) शारीरिक या मानसिक दुर्बलता से हुई स्थायी निश्चयता के कारण सेवानिवृत्ति।
- (ग) अधिकर्षिता की आयु प्राप्त करने पर सेवा निवृत्ति।
- (घ) पदत्याग।

5. अर्हक अवधि.—मृत्यु की दशा के बिना उपदान 5 वर्ष की अर्हक सेवा के पश्चात् ही अनुभूत होगा।

6. अनुभूत उपदान की राशि.—उपदान सीधे वर्णित के अनुसार देय होगा :—

- (क) कर्मचारी की मृत्यु पर या स्वाधी पूर्ण निश्चयता आदि पर अर्हक सेवा की प्रत्येक सम्पूरित छह मास की अवधि के लिए उपलब्धियों का एक चौथाई भाग जो उपलब्धियों का अधिक से अधिक 16½ गुना या 30,000 रुपए, इनमें से जो भी कम है, होगा।
- (ख) मृत्यु की दशा में उपदान की राशि का परिकल्पना जो हो उपरोक्त
- (ग) के अधीन या निम्नानुसार इनमें से जो भी अधिक है, किया जाएगा :—

- (1) सेवा के पहले वर्ष के दौरान 2 मास की उपलब्धियों
- (2) पहले वर्ष के पश्चात् किन्तु 5 वर्ष की 6 मास की उपलब्धियों की सेवा से पूर्व।
- (3) 5 वर्ष की सेवा पूरी लेने के पश्चात् 12 मास की उपलब्धियों

7. 20 वर्ष की सेवा पूरी कर लेने पर सेवा निवृत्ति : (क) परिषद् के कर्मचारी द्वारा 20 वर्ष की अर्हक सेवा पूरी कर लेने के पश्चात् किसी भी समय नियुक्ति प्राधिकारी को कम से कम तीन मास की लिखित सूचना देकर सेवा से निवृत्त हो सकता है।

(ख) उपरोक्त उपनियम (क) के अधीन दी गई स्वेच्छिक सेवा निवृत्ति की सूचना की नियुक्त प्राधिकारी द्वारा स्वीकृति अपेक्षित है :

परन्तु जहाँ नियुक्ति प्राधिकारी उपरोक्त सूचना के अधीन विनिर्दिष्ट अवधि की समाप्ति से पूर्व सेवा निवृत्ति के लिए अनुशासन में हंकार नहीं करता है वहाँ सेवा निवृत्ति उपरोक्त अवधि की समाप्ति की तारीख से प्रभावी होगी।

(ग) इस नियम के अधीन सेवा-निवृत्त होने वाले परिषद् के कर्मचारी को सेवा-निवृत्ति आशयित तारीख तक अर्हक सेवा पांच वर्ष से अधिक की अवधि तक बढ़ाई जाएगी। तथापि परिषद् के कर्मचारी द्वारा की गई कुल अर्हक सेवा किसी भी मामले में तीस वर्ष के अधिक नहीं होगी।

परन्तु उपनियम के वृद्धि करने के पश्चात् कुल अर्हक सेवा कर्मचारी को उस अर्हक सेवा से अधिक नहीं होगी जो कर्मचारियों को होगी है यदि वह स्वेच्छिक सेवा-निवृत्ति के लिए न्यूनतम आयु सीमा पर मूल नियमों के नियम 56 के खंड (ट) के अधीन विहित स्वेच्छिक सेवा-निवृत्ति प्राप्त कर लेता।

(घ) परिपक्व के ऐसे कर्मचारी को जिसने इस नियम के अधीन सेवा-निवृत्त होने का चयन किया है और जिसने नियुक्ति प्राधिकारी को उस प्रभाव की आवश्यक सूचना दे दी है। ऐसे प्राधिकारी के विनिर्दिष्ट अनुमोदन से ही अपनी सूचना वापस लेने में प्रवारित किया जाएगा, अन्यथा नहीं :

परन्तु वापसी के लिए अनुरोध अपनी सेवा-निवृत्ति की आशयित तारीख से पूर्व किया जाएगा।

(ङ) इस नियम के अधीन सेवा-निवृत्त होने वाले कर्मचारियों का मृत्यु तथा सेवा-निवृत्ति उपदान, नियम 2(ठ) के अधीन परिभाषित उप-नियमों पर आधारित होगा और उसकी अर्हक सेवा में 5 वर्ष से अधिक की वृद्धि उपदान के परिकल्पन के प्रयोजन के लिए बेतन के किसी काल्पनिक रूप में नियत किए जाने के लिए, हकदार नहीं बनाएगी।

(च) यह नियम परिपक्व के ऐसे कर्मचारियों को लागू नहीं होगा जो स्थायित्व मित्र या पब्लिक सेक्टर उपक्रम या केन्द्रीय/राज्य सरकार के विभाग, जिसमें वह स्वेच्छिक सेवा-निवृत्ति प्राप्त करने के समय प्रतिनियुक्ति पर है में स्थायी रूप से आमंत्रित होने पर परिपक्व से सेवा-निवृत्ति प्राप्त करता है।

8. उपदान जैसे और जब वह मंजूरी प्राधिकारी द्वारा मंजूर किया जाना है केवल भारत में ही देय होगा।

9. कर्मचारी से वसूली योग्य सभी देय उससे या मृत्यु की दशा में उसके विधिक वारिस (वारिसों) से संवाय करने समय पूर्ण रूप से वसूल किया जा सकता है।

10. सक्षम प्राधिकारी :—(क) उन पदों के लिए जिनका बेतन/बेतनमान 2000 रु० से अधिक नहीं है। नियेशक

(ख) उन पदों के लिए जिनका बेतन/बेतनमान 3000 रुपए से अधिक नहीं है। अध्यक्ष

11. निधि की संरचना :—इस प्रयोजन के लिए किसी पूषक निधि का सृजन नहीं किया जाएगा। जैसे और जब भी आवश्यकता होगी, यह प्रोद्-भवन के आधार पर व्युत्पन्न होगी।

12. नाम निर्देशन/नामनिर्देशन में परिवर्तन :—प्रत्येक कर्मचारी सेवा का कार्यभार संभालने पर विहित प्रारूप में (जो उपाबंध I में III में दिया गया है) अपने कुटुम्ब के एक या अधिक सदस्यों का, उसकी मृत्यु की दशा में उपदान लेने के लिए प्रत्येक सदस्य का देय भण उपदर्शित करने हुए, नाम निर्देशन करेगा, यदि कर्मचारी का कुटुम्ब नहीं है तो नाम निर्देशन व्यक्ति/व्यक्तियों या नियमित या अनियमित व्यक्ति निकाय के पक्ष में किया जा सकता है। कर्मचारी द्वारा किया गया प्रत्येक नाम निर्देशन और ही गई प्रत्येक सूचना का रक्करण कार्यालय के प्रधान के पास फाइल किया जाएगा। यह तारीख उपदर्शित करने हुए नाम निर्देशन को प्रति हस्ताक्षरित करेगा। नाम निर्देशन की प्राप्ति पर प्रत्येक कर्मचारी को अभि-स्वीकृति भेजी जाएगी। नाम निर्देशन न होने की दशा में मृत्यु पर उपदान का निम्नलिखित रीति से संदाय किया जा सकेगा।

(क) यदि कुटुम्ब में एक या अधिक उत्तरजीवी सदस्य हैं तो उरका संदाय ऐसे किसी सदस्य से भिन्न जो विधवा पुत्री है ऐसे सभी सदस्यों को समान अंशों में किया जाएगा।

(ख) यदि कुटुम्ब का कोई उत्तरजीवी सदस्य नहीं है, किन्तु एक या अधिक उत्तरजीवी विधवा पुत्रियाँ हैं और/या कुटुम्ब के एक या अधिक उत्तरजीवी सदस्य हैं तो उपदान का संवाय सभी सदस्यों को समान अंशों में किया जा सकता है।

(ग) यदि किसी दशा में कर्मचारी की मृत्यु सेवाकाल में ही हो जाती है या सेवानिवृत्ति के पश्चात् उपदान की रकम प्राप्त किए बिना हो जाती है और उसने कोई नाम निर्देशन नहीं किया है या उसने जो नाम-निर्देशन किया है अस्तित्व में नहीं रह गया है तो मृत्यु एवं सेवानिवृत्ति की रकम नियोजन निरीक्षण अधिकरण को ही भिन्न जाएगी।

13. सदस्य को अपने अधिकारों का समनुद्देशन या अंतरण करने के हकदार नहीं होगा कोई भी कर्मचारी अपने अधिकारों को प्रतिभूति के माध्यम से या अन्यथा अन्तरण या समनुद्देशन करने का पात्र नहीं है और ऐसा अंतरण या समनुद्देशन विधिमाम्य नहीं होगा और परिपक्व किसी अंतरण या समनु-द्देशन की मायता नहीं वेगा या उसको या उसके किसी सदस्य को किसी अंतरण या समनुद्देशन की सूचना द्वारा बाध्य नहीं होगी।

14. निर्बंधन :—यदि इन नियमों के निर्बंधन से संबंधित कोई पण उठता है तो वह नियोजन निरीक्षण परिषद् को निर्देशित किया जाएगा, जो इसका निर्णय करेगी।

प्रकरण

प्रकरण— I

(नियम 12 देखिए)

मृत्यु तथा सेवा निवृत्ति उपदान के लिए नाम निर्देशन:

जब परिपक्व के कर्मचारी का कोई कुटुम्ब है और वह उसके एक सदस्य या एक से अधिक सदस्यों का नामनिर्देशन करना चाहता है।

मैं नीचे वर्णित व्यक्ति/व्यक्तियों का जो मेरे कुटुम्ब का सदस्य है/हैं एतद्द्वारा नामनिर्देशन करता हूँ, उसे/उन्हें नीचे विनिर्दिष्ट परिमाण तक ऐसे किसी उपदान को जो सेवा के दौरान मेरी मृत्यु हो जाने की दशा में परिपक्व द्वारा मंजूर किया जाए प्राप्त करने का अधिकार और परिमाण तक ऐसे किसी उपदान को सेवा निवृत्ति पर मुझे अनुमति हो किन्तु मेरी मृत्यु के समय सदत्त हुए बिना रह गया हो, मेरी मृत्यु पर प्राप्त करने का अधिकारी प्रदत्त करना है।

मूल नाम निर्देशिती			आयुक्तिक नामनिर्देशिती			
नामनिर्देशितियों के नाम और पते	परिषद् के कर्म-चारी के साथ संबंध	प्रत्येक को संदेय उपदान की रकम या उसका अंश	वे आकस्मिकताएं जिनके घटित होने पर नामनिर्देशन अधिमान्य हो जाएगा	उस व्यक्ति का या उन व्यक्तियों के, यदि कोई हो, नाम, पता या पते और संबंध जिसे या जिन्हें वह अधिकार जो नामनिर्देशिती को प्रदत्त किया गया है, उस दशा में चला जाएगा जब परिषद् के कर्म-चारी की मृत्यु के पूर्व ही नामनिर्देशिती की मृत्यु हो जाए या जब नामनिर्देशिती की मृत्यु परिषद् के कर्मचारी की मृत्यु के पश्चात् किन्तु उपदान के संवाय की प्राप्ति के पूर्व, हो जाए।	प्रत्येक को संवेय उपदान की रकम या उसका अंश	
1	2	3	4	5	6	7

*यह स्तम्भ इस प्रकार से भरा जाना चाहिए कि उपदान की सम्पूर्ण रकम इसमें आ जाए।

**इस स्तम्भ में उपर्युक्त उपदान की रकम/के अंश में मूल नामनिर्देशिती/नामनिर्देशितियों को संदेय सम्पूर्ण रकम/अंश आ जाना चाहिए।

यह नामनिर्देशन इससे पूर्व.....को मेरे द्वारा किए गए नामनिर्देशन को, जो अब रद्द हो गया है, अधिकांश करना है।

नोट: (i) परिषद् का कर्मचारी अन्तिम प्रविष्टि के नीचे खाली स्थान में आर-पार रेखाएं खींचेगा जिससे उनके हस्ताक्षर करने के पश्चात् किसी भी नाम का लिखा जाना रोका जा सके।

(ii) जो लागू नहीं हो उसे काट दें।

तारीख..... 1981

स्थान

साक्षी के हस्ताक्षर

1.

2.

परिषद् के कर्मचारी के हस्ताक्षर

(कार्यालय प्रधान द्वारा भरा जाएगा)

.....द्वारा नामनिर्देशन

कार्यालय के प्रधान के हस्ताक्षर

पदनाम.....

तारीख

कार्यालय.....

पदनाम

कार्यालय के प्रधान द्वारा नामनिर्देशन पत्र की प्राप्ति की अभिलेखीकरण का प्रारूप

सेवा में,

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महोदय,

आपके.....तारीख के नामनिर्देशन और.....तारीख के प्रारूप.....में

उपदान के संबंध में पहले किए गए नामनिर्देशन के रद्दकरण की प्राप्ति को अभिलेखीकरण करने हुए मैं सूचित करता हूं कि यह अभिलेख में ठीक प्रकार से रख दिया गया है।

स्थान.....

कार्यालय के प्रधान के हस्ताक्षर

तारीख.....

पदनाम

नोट:—परिषद् के कर्मचारी को यह सलाह दी गई है कि यदि नामनिर्देशनों और संबंधित सूचनाओं तथा अभिलेखीकरणों की प्रतियां सुरक्षित अभिरक्षा में रखी जाती हैं तो यह उनके नामनिर्देशनियों के हित में होगा जिससे कि वे उनकी मृत्यु हो जाने की दशा में हिताधिकारियों के कठने में आ जाएं।

प्रारूप 2

(नियम 12 देखिए)

मृत्यु तथा सेवा निवृत्ति उपदान के लिए नामांकन :

जब परिषद् ने कर्मचारी का परिवार नहीं है और वह एक सदस्य या एक से अधिक सदस्य को नामित करना चाहता है .

मैं जिसका कोई कुटुम्ब नहीं है नीचे वर्णित व्यक्ति/व्यक्तियों को एनडब्ल्यू द्वारा नामनिर्देशित करना है और उसे/उन्हें नीचे विनिर्दिष्ट परिमाण तक ऐसे किसी उपदान को जो सेवा के दौरान मेरी मृत्यु हो जाने की वशा में परिषद् द्वारा संजूर किया जाए प्राप्त करने का अधिकार और नीचे विनिर्दिष्ट परिमाण तक किसी उपदान को, जो सेवा निवृत्ति पर मुझे अनुभूत हो किन्तु मेरी मृत्यु के समय संदल हुए बिना रह गया हो, मेरी मृत्यु पर प्राप्त करने का अधिकार प्रवृत्त करता हूँ ।

मूल नामनिर्देशिनी		यानुकल्पिक नामनिर्देशिनी			
नामनिर्देशिनी/नामनिर्देशितियों का/के नाम और पता/पते	*परिषद् के कर्म-चारी के साथ संबंध	प्रत्येक को वेय उपदान की रकम या उसका अंश	उस व्यक्ति का या उन व्यक्तियों के, यदि कोई हो, नाम, पता या पते और संबंध जिसे या जिन्हें वह अधिकार, जो नामनिर्देशिनी को प्रवृत्त किया गया है, उस वशा में सला जाएगा जब परिषद् के कर्म-चारी की मृत्यु हो जाए या जब नामनिर्देशिनी की मृत्यु परिषद् के कर्म-चारी की मृत्यु के पश्चात् किन्तु उपदान के संशय की प्राप्ति के पूर्व हो जाए ।	*प्रत्येक को वेय उपदान की रकम या उसका अंश	
1	2	3	4	5	6

*यह स्तम्भ इस प्रकार से भरा जाना चाहिए कि उपदान की सम्पूर्ण रकम इसमें आ जाए ।

**इस स्तम्भ में उपवर्णित उपदान की रकम के अंश में मूल नामनिर्देशिनी/नामनिर्देशितियों को संबंध सम्पूर्ण रकम/अंश आ जाना चाहिए ।

यह नाम निर्देशन इससे पूर्व को मेरे द्वारा किए गए नामनिर्देशन को, जो अब रद्द हो गया है, अधिक्रान्त करता है ।

टिप्पण (1) परिषद् का कर्मचारी अस्तित्व प्रविष्टि के नीचे खाली स्थान में आरपार रेखाएं खींचेगा जिससे कि उसके हस्ताक्षर करने के पश्चात् किसी भी नाम का विनाश जाना रोका जा सके ।

(2) जो लागू नहीं हो उसे काट दें ।

तारीख 1981

स्थान

माफ़ी के हस्ताक्षर

1

2

परिषद् के कर्मचारी के हस्ताक्षर

(कार्यालय के प्रधान द्वारा भरा जाएगा)

. द्वारा नामनिर्देशन

कार्यालय के प्रधान के हस्ताक्षर

पदनाम

तारीख

कार्यालय

पदनाम

कार्यालय के प्रधान द्वारा नामनिर्देशन प्रारूप की प्राप्ति की अभिसंधि/प्रतीति का प्रोफ़ार्मा ।

सेवा में,

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महोदय,

आपके.....तारीख के नामनिर्देशन और.....तारीख के प्ररूप.....से उपदान के संबंध में पहले दिए गए नामनिर्देशन के रद्दकरण की प्राप्ति को अभिस्वीकृत करने हुए मैं सूचित करता हूँ कि यह अभिलेख में ठीक प्रकार से रख दिया गया है।

स्थान.....

कार्यालय के प्रधान के हस्ताक्षर

तारीख.....

पदनाम.....

टिप्पण: परिषद् के कर्मचारी को यह सलाह दी जाती है कि यदि नामनिर्देशनों और संबंधित सूचनाओं तथा अभिस्वीकृतियों की प्रतियों सुरक्षित अभिरक्षा में रखी जाती हैं तो यह उसके नामनिर्देशनियों के हित में होगा जिससे कि वे उसकी मृत्यु हो जाने की वशा में हिताधिकारियों के कब्जे में आ जाएं।

प्रारूप 3

(नियम 12 देखिए)

परिवार का ब्योरा

परिषद् के कर्मचारी का नाम.....

पदनाम.....

जन्म की तारीख.....

नियुक्ति की तारीख.....

.....को मेरे कुटुम्ब के सदस्यों का ब्योरा.....
(तारीख)

क्रम सं०	कुटुम्ब के सदस्यों के नाम	जन्म की तारीख	अधिकारी के संबंध	कार्यालय के प्रधान के आग्रक्षर	टिप्पणी
1	2	3	4	5	6
1					
2					
3					
4					
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6					
7					
8					
9					
10					

मैं उपरोक्त विवरणों को किसी भी परिवर्तन या परिवर्धन कार्यालय के प्रधान को अधिसूचित करके अद्यतन रखने का दायरबांध करता हूँ।

स्थान.....

परिषद् के कर्मचारी के हस्ताक्षर

तारीख.....

* इस प्रयोजन के लिए कुटुम्ब से अभिप्रेत है :

(क) परिषद् के पुरुष कर्मचारी की वशा में, पत्नी,

(ख) परिषद् की महिला कर्मचारी की वशा में, पति,

(ग) पुत्र जिनकी आयु अठारह वर्ष से कम है और अविवाहिता पुत्रियों, जिनकी आयु इक्कीस वर्ष से कम है, जिसके अनर्गत ऐसा पुत्र या पुत्री है जो सेवा-निवृत्ति से पूर्ण विधिक रूप से दस्तक ली गई है।

टिप्पणी :—पत्नी और पति के अनर्गत न्यायिक रूप से पृथक्कृत पत्नी और पति है।

MINISTRY OF COMMERCE

New Delhi, the 30th May, 1981.

S.O. 1607.—In exercise of the powers conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules namely :—

1. Short title and commencement.—(1) These rules may be called the Export Inspection Council, Death-cum-Retirement Gratuity Rules, 1981.

(2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions :

In these rules, unless the context otherwise requires

- (a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (b) "Council" means the Exports Inspection Council established under Section 3 of the Act.
- (c) "Agency" means the Export Inspection Agency-Bombay/Calcutta/Cochin/Delhi & Madras, established under Section 7 of the Act.
- (d) "Chairman" means Chairman of the Export Inspection Council.
- (e) "Director" means Director of Inspection & Quality Control of the Council.
- (f) "Each year of completed service" means a period of 12 months service rendered by the employee reckoned from the date of his/her joining the Council.
- (g) "Employee" means the whole time regular employee of the Council whose name appears on the pay roll of the Council.

(h) "Family" shall include the following :—

- (i) Wife in the case of a male employee.
- (ii) Husband in the case of a female employee.
- (iii) Son.
- (iv) Unmarried and widows daughters. } Including step children and adopted children
- (v) Brothers below the age of 18 years and unmarried and widowed sisters. } Including step brothers and step sisters.
- (iv) Father
- (vii) Mother
- (viii) Married daughters, and
- (ix) Children or a pre-deceased son.

(i) "Fund" means the Gratuity Fund as stipulated hereunder.

(j) "Permanent total disability" means disability resulting from any disease/injury which in the opinion of the Council makes the employees concerned totally incapable of rendering service to the Council.

(k) "Qualifying service" means services rendered by a person after completion of 18 years of age on regular basis including the period spent on probation from the date of his/her appointment or absorption in Council but the extra-ordinary leave without will not be counted for the purpose.

(l) "Emoluments" means pay, officiating pay, special pay, personal pay, dearness pay, or any other amounts specially declared as such, which the employee was receiving immediately before retirement/on the date of his/her death. For the purpose of gratuity the emoluments so calculated are subject to a maximum of Rs 2,500 per mensem.

(m) "Head of office" means an officer declared as such by the Director

3. Applicability of Rules :

These rules shall apply to all the whole time and regular employees of the Export Inspection Council who were in ser-

vice as on the date of issue of this notification and are governed by the Export Inspection Council Contributory Provident Fund Rules and shall exclude the following :—

- (i) Casual and non-regular employees.
- (ii) Government servants and other employees on deputation basis other than Agency employees.
- (iii) Employees on contract basis.
- (iv) Apprentices and trainees.
- (v) Re-employed persons.

Provided that these rules shall not be applicable to those who enter service after introduction of Pension Scheme.

4. Eligibility :

An eligible person shall be granted gratuity under the Rules in the following circumstances —

- (a) Retrenchment on abolition of post or reduction of establishment.
- (b) Retirement due to permanent disability due to bodily or mental infirmity.
- (c) Retirement on attaining age of superannuation.
- (d) Resignation.

5. Qualifying Period :

Except in the case of death, gratuity will be admissible only after 5 years qualifying service.

6. Amount of Gratuity Admissible :

Gratuity will be payable as described hereunder :—

- (a) Except on the date or permanent total disablement of the employee etc. one fourth of emoluments for each completed six monthly period of qualifying service subject to a maximum of 16 1/2 times the emoluments or Rs. 30,000 whichever is less.
- (b) In the case of death, the amount of gratuity will be as calculated under (a) above or as worked out below whichever be more :
 - (i) during the first year of service 2 months' emoluments
 - (ii) after one year but before 5 years service 6 months' emoluments
 - (iii) after completion of 5 years' service 12 months' emoluments

7 Retirement on completion of 20 years of service :

- (a) At any time after the Council employee has completed 20 years' of qualifying service, he/she may, by giving notice of not less than 3 months in writing to the appointment authority, retire from service.
- (b) The notice of voluntary retirement given under sub-rule (a) above shall require acceptance by the appointing authority.

Provided that where the appointing authority does not refuse to grant permission for retirement before expiry of the period specified under the said notice, the retirement shall become effective from the date of expiry of the said period.

- (c) The qualifying service as on date of intended retirement of the Council employee retiring under this rule shall be increased by a period not exceeding five years. However, the total qualifying service rendered by the Council employee shall not in any case exceed thirty years.

Provided that the total qualifying service after allowing the increase under the sub-rule shall not exceed the qualifying service which the employees would have had, if he/she had retired voluntarily at the lowest age limit for voluntary retirement prescribed under clause (k) of Rule 56 of the Fundamental Rules.

- (d) The Council employee who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority shall be precluded from withdrawing his notice except with the specific approval of such authority :

Provided that request for withdrawal shall be made before the intended date of his retirement.

- (e) Death-cum-Retirement Gratuity of the employees retiring under this rule shall be based on the emolument as defined under rule 2(f) and the increase not exceeding 5 years in his/her qualifying service shall not entitle him to any notional fixation of pay for purposes of calculating gratuity.

- (f) This rule shall not apply to Council employees who retire from Council service for being absorbed permanently in an autonomous body or a public sector undertaking or the Central/State Government department to which he/she is on deputation at the time of seeking voluntary retirement.

8. The Gratuity shall be payable only in India, as and when sanctioned by the sanctioning authority.

9. All the dues recoverable from the employee can be recovered in full while making payment to him/her or to his/her legal heir(s) in case of death.

10. Competent Authority :

The Authority competent to sanction gratuity shall be :—

- (a) For posts carrying pay/scale of pay maximum of which does not exceed Rs. 2000. Director.
- (b) For posts carrying pay/scale of pay maximum of which does not exceed Rs. 3000. Chairman.

11. Composition of the Fund :

No separate fund for this purpose will be created. It will be derived on accrual basis as and when need arises.

12. Nomination/variation of nomination :

Every employee on joining the service shall make a nomination in a prescribed form (given in Annexure I to III)

nominating one or more persons of his/her family the right to receive the gratuity in the event of his/her death indicating the share payable to each member. In case the employee has no family, the nomination may be made in favour of person/persons or body of persons corporate or non-corporate. Every nomination made and every notice or cancellation given by an employee shall be filled with the Head of Office.

He shall countersign the nomination indicating the date of receipt. An acknowledgement will be sent to every employee on the receipt of nomination. In the event of there being no nomination the gratuity on death may be paid in the following manners :—

- (a) If there are one or more surviving members of the family, it may be paid to all such members other than any such member who is a widowed daughter in equal shares.
- (b) If there are no surviving members of the family, but there are one or more surviving widowed daughters and/or one or more surviving members of the family the gratuity may be paid to all such members in equal shares.
- (c) If in case an employee dies while in service, or after retirement without receiving any amount of gratuity and leave behind no nomination made by him or the nomination made by him does not subsist the amount of Death-cum-Retirement Gratuity payable to him shall lapse to the Export Inspection Council.

13. Members not entitled to assign or transfer their entitlement :

No employee is eligible to transfer or assign whether by way of security or otherwise his/her entitlement and no such transfer or assignment shall be valid and the Council shall not recognise or be bound by notice to them or any of them of any transfer or assignment.

14. Interpretation :

If any question arises relating to the interpretation of these rules, it shall be referred to the Export Inspection Council who shall decide the same.

FORMS

FORM I

(See Rule 12)

Nomination for Death-cum-Retirement Gratuity

When the Council employee has a family and wishes to nominate one member, or more than one member, thereof.

I, hereby nominate the person/persons mentioned below who is/are member(s) of my family, and confer on him/them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the Council in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death :—

Original nominee(s)				Alternate nominee(s)	
Name and address of nominees	Relationship with the Council Employee	Age	Amount or share of gratuity payable to each*	Name, address, relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the council employee or the nominee dying after the death of the Council employee but before receiving payment of gratuity.	Amount or share of gratuity payable to each**
(1)	(2)	(3)	(4)	(5)	(6)

*This column should be filled in so as to cover the whole amount of the gratuity.

**The amount/share of the gratuity shown in this column should cover the whole amounts/share payable to the original nominees.

This nomination supersedes the nomination made by me earlier on which stands cancelled.

NOTE:—(i) The Council employee shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

Dated. this day of 198 at

Witnesses to signature :

1.....

2.....

Signature of Council Employee

(To be filled in by the Head of Office)

Nomination by..... Signature of Head of Office ,

Designation..... Dated.....

Office..... Designation.....

Proforma for Acknowledging the Receipt of the Nomination

Form by the Head of Office.

To

.....

.....

.....

Sir,

In acknowledging the receipt of your nomination, dated the...../cancellation, dated the.....of the nomination made earlier in respect of gratuity in Form....., I am to state that it has been fully placed on record.

Signature of Head of Office

Place.....

Dated the

Designation.....

NOTE :—The Council Employee is advised that it would be in the interest of his nominees if copies of the nominations and the related notices and acknowledgements are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

FORM II

(See rule 12)

Nomination for Death-cum-Retirement Gratuity

When the Council employee has no family and wishes to nominate one person or more than one persons.

I.....having no family, hereby nominate the person/persons mentioned below and confer on him/them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the Council in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Original nominee(s)				Alternate nominee(s)	
Name and address of nominee/nominees	Relationship with Council employee	Age	Amount or share of gratuity payable to each*	Name, address, relationship and age of the person or persons If any to whom the right conferred the nominee predeceasing the Council employee or the nominee dying after the death of the Council employee but before receiving payment of gratuity	Amount of share of gratuity payable to each**
1	2	3	4	5	6

*This column should be filled in so as to cover the whole amount of the gratuity.

**The amount/share of the gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

This nomination supersedes the nomination made by me earlier on.....which stands cancelled.

NOTE :—(i) The Council employee should draw lines across blank below the last entry to prevent the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

Dated, this.....day of.....198 at.....

Witness to signature :

1.....

2.....

Signature of Council employees

(To be filled in by the Head of Office)

Nomination by.....

Designation.....

Office.....

Signature of Head of Office

Date.....

Designation

Proforma for Acknowledging the Receipt of the Nomination

Form by the Head of Office.

To

.....

.....

.....

Sir,

In acknowledging the receipt of your nomination, dated the...../cancellation, dated the.....of the nomination made earlier in respect of gratuity in Form.....I am to state that it has been duly placed on record.

Place.....

Dated the.....

Signature of Head of Office
(Designation)

NOTE:—The Council employee is advised that it would be in the interest of his nominees if copies of the nominations and the related notices and acknowledgement are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

FORM III

(See rule 12)

Details of Family

Name of Council Employees.....

Designation.....

Date of birth.....

Date of appointment.....

Details of the members of my family as on.....

Serial No.	Name of the member of family*	Date of birth	Relationship with the Officer	Initials of the Head of Office	Remark
1	2	3	4	5	6

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

I hereby undertake to keep the above particulars upto date by notifying to the Head of Office any addition or alteration

Place.....

Signature of Council Employee

Dated.....

*Family for this purpose means :

- (a) wife, in the case of a male Council employee.
- (b) husband, in the case of a female Council employee.
- (c) sons below eighteen years of age and unmarried daughters below twenty-one years of age, including such son or daughter adopted legally before retirement.

NOTE:—Wife and husband shall include respectively judicially separated wife and husband.

[F. No. 3/12/76-EI&EP]

नई दिल्ली 30 मई, 1981

का०भा० 1608:—केन्द्रीय सरकार, नियमित (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, निम्नलिखित नियम बनाती है, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ :

(1) इन नियमों का संक्षिप्त नाम नियमित निरीक्षण अभिकरण मृत्यु तथा सेवा निवृत्ति उपदान नियम, 1981 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं :

इन नियमों में, जब तक कि सन्दर्भ से अन्यथा अपेक्षित न हो:—

(क) “अधिनियम” से नियमित (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है।

(ख) “परिषद्” से अधिनियम की धारा 3 के अन्तर्गत स्थापित नियमित निरीक्षण परिषद् अभिप्रेत है।

(ग) “अभिकरण” से अधिनियम की धारा 7 के अन्तर्गत स्थापित नियमित निरीक्षण अभिकरण—मुम्बई/कलकत्ता/कोचीन/दिल्ली और मद्रास अभिप्रेत है।

(घ) “अध्यक्ष” से नियमित निरीक्षण परिषद् का अध्यक्ष अभिप्रेत है।

(ङ) “निदेशक” से परिषद् का निदेशक निरीक्षण और क्वालिटी नियंत्रण अभिप्रेत है।

(च) “सम्पूरित सेवा के प्रत्येक वर्ष” से कर्मचारी द्वारा अभिकरण में उसके पद ग्रहण की तारीख से सम्बन्धित 12 मास की सेवा की अवधि अभिप्रेत है।

(छ) “कर्मचारी” से अभिकरण का पूर्णकालिक नियमित कर्मचारी अभिप्रेत है जिसका नाम अभिकरण के वेतन-पत्रक पर है।

(ज) “कुटुम्ब” के अन्तर्गत निम्नलिखित होंगे:—

(i) पुरुष कर्मचारी की दशा में पत्नी

(ii) महिला कर्मचारी की दशा में पति

(iii) पुत्र

(iv) अविवाहित और विधवा पुत्रियां हमके अन्तर्गत सौतेले बालक और दत्तक बालक हैं।

(v) 18 वर्ष की आयु से कम के भाई और अविवाहित तथा विधवा बहिनें इनके अन्तर्गत सौतेले भाई और सौतेली बहिनें हैं।

(vi) पिता

(vii) माता

(viii) विवाहित पुत्रियां, और

(ix) पूर्वभूत पुत्र के बालक।

(झ) “निधि” से इसमें नीचे अनुबन्धित उपदान निधि अभिप्रेत है।

(ञ) “स्थायी पूर्ण निःशक्तता” से किसी भी रोग/क्षति के परिणाम-स्वरूप हुई निःशक्तता अभिप्रेत है जो परिषद् की राय में सम्बन्धित कर्मचारी को परिषद् में सेवा करने के लिए पूर्णतः अयोग्य करती है।

(ट) “अर्हक सेवा” से कर्मचारी द्वारा 18 वर्ष की आयु पूरा करने के पश्चात् नियमित आधार पर की गई सेवा अभिप्रेत है जिसके अन्तर्गत अभिकरण में उसके नियोजन या आमेलन की तारीख से परीक्षा की अवधि भी है किन्तु वेतन के बिना असाधारण छुट्टी की इस प्रयोजन के लिए गणना नहीं की जाएगी।

(ठ) “उपलब्धियां” से वेतन स्थापना वेतन, विशेष वेतन, वैयक्तिक वेतन, मंहवाई वेतन या विभेद रूप से घोषित ऐसी कोई अन्य राशि अभिप्रेत है जो कर्मचारी अपनी सेवानिवृत्ति/मृत्यु की तारीख से ठीक पूर्व प्राप्त कर रहा था। उपदान के प्रयोजन के लिए इस प्रकार परिकल्पित उपलब्धियां अधिक से अधिक 2500 रुपये प्रतिमास होंगी।

(ड) “कार्यालय का प्रधान” से निदेशक द्वारा उस रूप में घोषित अधिकारी अभिप्रेत है।

3. नियमों का लागू होना :

ये नियम नियमित निरीक्षण अभिकरण के सभी पूर्णकालिक और नियमित कर्मचारियों को लागू होंगे जो इस सूचना के जारी होने की तारीख को सेवा में थे और नियमित निरीक्षण अभिकरण अभिदायी भविष्य निधि नियमों द्वारा शासित हैं और निम्नलिखित का अपवर्जन किया जाएगा:—

(i) आक्रमिक और अनियमित कर्मचारी।

(ii) प्रतिनियुक्ति पर परिषद् के कर्मचारियों से भिन्न कर्मचारी और सरकारी सेवक।

(iii) संविदा पर कर्मचारी।

(iv) शिक्ष और प्रशिक्षणार्थी।

(v) पुनःनियोजित व्यक्ति।

परन्तु ये नियम उन व्यक्तियों को लागू न होंगे जो पेंशन स्कीम के आरम्भ होने के पश्चात् सेवा में आए।

4. पात्रता :

किसी पात्र व्यक्ति को निम्नलिखित परिस्थितियों में नियमों के अधीन उपदान दिया जाएगा:—

(क) पद की समाप्ति पर छुट्टी या स्थापना की कमी।

(ख) शारीरिक या मानसिक दुर्बलता से हुई स्थायी निःशक्तता के कारण सेवा निवृत्ति।

(ग) अधिवधिता की आयु प्राप्त करने पर सेवा निवृत्ति।

(घ) पदत्याग।

5. अर्हक अवधि :

मृत्यु की दशा के सिवाय उपदान 5 वर्ष की अर्हक सेवा के पश्चात् ही अनुज्ञेय होगा।

6. अनुसूच्य उपदान की राशि :

उपस्थान नीचे अर्णत के अनुसार देय होगा :—

(क) कर्मचारी की मृत्यु पर या स्थायी/पूर्ण निःशक्तता, आदि पर अर्हक सेवा की प्रत्येक सम्पूरित छह मास की अवधि के लिए उपलब्धियों का एक चौथाई भाग जो उपलब्धियों का अधिक से अधिक 16½ गुना या 30,000 रुपये इनमें से जो भी कम है, होगा।

(ख) मृत्यु की दशा में उपदान की राशि का परिकलन जो उपरोक्त (क) के अधीन या निम्नानुसार इनमें से जो भी अधिक है, किया जाएगा :—

- | | |
|---|----------------------|
| (i) सेवा के पहले वर्ष के दौरान | 2 मास की उपलब्धियाँ |
| (ii) पहले वर्ष के पश्चात् किन्तु 5 वर्ष की सेवा से पूर्व। | 6 मास की उपलब्धियाँ |
| (iii) 5 वर्ष की सेवा पूरी लेने के पश्चात् | 12 मास की उपलब्धियाँ |

7. 20 वर्ष की सेवा पूरी कर लेने पर सेवा निवृत्ति :

(क) अभिकरण के कर्मचारी द्वारा 20 वर्ष की अर्हक सेवा पूरी कर लेने पश्चात् किसी भी समय नियुक्ति प्राधिकारी को कम से कम तीन मास की लिखित सूचना देकर सेवा से निवृत्त हो सकता है।

(ख) उपरोक्त उपनियम (क) के अधीन दी गई स्वैच्छिक-सेवा-निवृत्ति की सूचना को नियुक्ति प्राधिकारी द्वारा स्वीकृति अर्पित है :

परन्तु जहाँ नियुक्ति प्राधिकारी उपरोक्त सूचना में अधीन विनिर्दिष्ट अवधि की समाप्ति से पूर्व सेवा निवृत्ति के लिए अनुज्ञा देने से इंकार नहीं करता है वहाँ सेवा निवृत्ति उपरोक्त अवधि की समाप्ति की तारीख से प्रभावी होगी।

(ग) इस नियम के अधीन सेवा-निवृत्ति होने वाले अधिकरण कर्मचारी की सेवा निवृत्ति आशयित तारीख तक अर्हक सेवा पांच वर्ष से अनधिक की अवधि तक बढ़ाई जाएगी। तथापि अभिकरण के कर्मचारी द्वारा की गई कुल अर्हक सेवा किसी भी मामले में तीस वर्ष से अधिक नहीं होगी :

परन्तु उप-नियम के अधीन वृद्धि करने के पश्चात् कुल अर्हक सेवा कर्मचारी की उस अर्हक सेवा से अधिक नहीं होगी जो कर्मचारियों की होती यदि वह स्वैच्छिक सेवा निवृत्ति के लिए न्यूनतम आयु सीमा पर मूल नियमों के नियम 56 के खण्ड (ट) के अधीन विहित स्वैच्छिक सेवा-निवृत्ति प्राप्त कर लेता।

(घ) अभिकरण के ऐसे कर्मचारी को, जिसने इस नियम के अधीन सेवा निवृत्ति होने का चयन किया है और जिसने नियुक्ति प्राधिकारी को उस प्रभाव की आवश्यक सूचना दे दी है ऐसे प्राधिकारी के विनिर्दिष्ट अनुमोदन से ही अपनी सूचना वापस लेने से प्रचारित किया जाएगा, अन्यथा नहीं :

परन्तु बावसी के लिए अनुरोध अपनी सेवा-निवृत्ति की आशयित तारीख से पूर्व किया जाएगा।

(ङ) इस नियम के अधीन सेवा-निवृत्ति होने वाले कर्मचारियों का मृत्यु तथा सेवा-निवृत्ति उपदान नियम 2 (ठ) के अधीन परिभाषित उपलब्धियों पर आधारित होगा और उसकी अर्हक सेवा में 5 वर्ष से अनधिक की वृद्धि उपदान के परिकलन के प्रयोजन के लिए वेतन के किसी काल्पनिक रूप से नियत किये जाने के लिए हकदार नहीं बनाएगा।

(च) यह नियम परिषद् के ऐसे कर्मचारियों को लागू नहीं होगा जो स्वायत्त निकाय या पब्लिक सेक्टर उपक्रम या केन्द्रीय/राज्य सरकार के विभाग/जिसमें वह स्वैच्छिक सेवा निवृत्ति प्राप्त करने के समय प्रति-

नियुक्ति पर है में स्थायी रूप से शामिल होने पर परिषद् से सेवा-निवृत्ति प्राप्त करता है।

8. उपदान जैसे जब वह मंजूरी प्राधिकारी द्वारा मंजूर किया जाता है केवल भारत में ही देय होगा।

9. कर्मचारी से वसूली योग्य सभी देय उससे या मृत्यु की दशा में उसके विधिक वारिस (वारिसों) से संदाय करते समय पूर्ण रूप से वसूल किया जा सकता है।

10. सक्षम प्राधिकारी :

(क) उन पदों के लिए जिनका वेतन/वेतन मान 2000/- रुपये से अधिक नहीं है। निदेशक

(ख) उन पदों के लिए जिनका वेतन/वेतनमान 3000/- रुपये से अधिक नहीं है। अध्यक्ष

11. निधि की संरचना :

इस प्रयोजन के लिए किसी पृथक निधि का सृजन नहीं किया जाएगा। जैसे और जब भी आवश्यकता होगी यह प्रौद्भवन के आधार पर व्युत्पन्न होगी।

12. नाम निर्देशन/नामनिर्देशन में परिवर्तन :

प्रत्येक कर्मचारी सेवा का कार्यभार संभालने पर विहित प्रारूप में (जो उपाबंध I से III में दिया गया है) अपने कुटुम्ब के एक या अधिक सदस्यों को उसकी मृत्यु की दशा में उपदान लेने के लिए प्रत्येक सदस्य का देय अंश उपदर्शित करते हुए, नामनिर्देशन व्यक्ति/व्यक्तियों या नियमित या अनियमित व्यक्ति निकाय के पक्ष में किया जा सकता है। कर्मचारी द्वारा किया गया प्रत्येक नामनिर्देशन और दी गई प्रत्येक सूचना या रद्दकरण कार्यालय के प्रधान के पास फाइल किया जाएगा। यह तारीख उपदर्शित करते हुए, नामनिर्देशन को प्रति हस्ताक्षरित करेगा। नामनिर्देशन की प्राप्ति पर प्रत्येक कर्मचारी को अभिस्वीकृति भेजी जाएगी। नामनिर्देशन न होने की दशा में मृत्यु पर उपदान का निम्नलिखित रीति से संदाय किया जा सकेगा :

(क) यदि कुटुम्ब में एक या अधिक उत्तरजीवी सदस्य हैं तो इसका संदाय ऐसे किसी सदस्य से भिन्न जो विधवा पुत्री है ऐसे सभी सदस्यों को समान अंशों में किया जाएगा।

(ख) यदि कुटुम्ब का कोई उत्तरजीवी सदस्य नहीं है, किन्तु एक या अधिक उत्तरजीवी सदस्य विधवा पुत्रियां हैं और/या कुटुम्ब के एक या अधिक उत्तरजीवी सदस्य हैं तो उपादान का संदाय सभी सदस्यों को समान अंशों में किया जा सकता है।

(ग) यदि किसी दशा में कर्मचारी की मृत्यु सेवाकाल में ही हो जाती है या सेवानिवृत्ति के पश्चात् उपदान की रकम प्राप्त किए बिना हो जाती है और उसने कोई नामनिर्देशन नहीं किया है या उसने जो नामनिर्देशन किया है अस्तित्व में नहीं रह गया है तो मृत्यु एवं सेवा निवृत्ति की रकम नियत निरीक्षण अभिकरण को ही मिल जाएगी।

13. सदस्य को अपने अधिकारों का समनुदेशन या अंतरण करने के हकदार नहीं होंगे :

कोई भी कर्मचारी अपने अधिकारों को प्रतिभूति के माध्यम से या अन्यथा अन्तरण या समनुदेशन करने का मात्त नहीं है और ऐसा अंतरण या समनुदेशन विधिमान्य नहीं होगा और अभिकरण किसी अन्तरण या समनुदेशन को मान्यता नहीं देगा या उसका या उसके किसी सदस्य को किसी अन्तरण या समनुदेशन की सूचना द्वारा बाध्य नहीं होगा।

14. निर्वचन :

यदि इन नियमों के निर्वचन से संबंधित कोई प्रश्न उठता है तो वह नियत निरीक्षण परिषद् को निर्दिष्ट किया जाएगा, जो इसका निर्णय करेगी।

प्रावृत्ति

प्ररूप-1

(नियम 12 देखिए)

मृत्यु तथा सेवा निवृत्ति उपदान के लिए नाम निर्देशन

जब परिषद् के कर्मचारी का कोई कुटुम्ब है और वह उसके एक सदस्य या एक से अधिक सदस्यों का नामनिर्देशन करना चाहता है।

मैं.....नीचे वर्णित व्यक्ति/व्यक्तियों का जो मेरे कुटुम्ब का सदस्य है/हैं एतद्द्वारा नामनिर्देशन करता हूँ। उसे/उन्हें नीचे विनिर्दिष्ट परिणाम तक ऐसे किसी उपदान को जो सेवा के दौरान मेरी मृत्यु हो जाने की दशा में परिषद् द्वारा मंजूर किया जाए प्राप्त करने का अधिकार और परिमाण तक ऐसे किसी उपदान को सेवा निवृत्ति पर मुझे अनुज्ञेय हो किन्तु मेरी मृत्यु के समय संदत्त हुए बिना रह गया हो, मेरी मृत्यु पर प्राप्त करने का अधिकार प्रदत्त करता हूँ।

मूल नामनिर्देशिनी

आनुकल्पिक नामनिर्देशिनी

नामनिर्देशितियों के नाम और पते	परिषद् के कर्म- चारी के साथ संबंध	आयु	प्रत्येक को संदेय उपदान की रकम या उसका अंश	वे आक्समिकताएं जिनके घटित होने पर नाम- निर्देशन अधिधिमाम्य हो जाएगा	उस व्यक्ति का या उन व्यक्तियों के, यदि कोई हो, नाम पता या पते और संबंध जिसे या जिन्हें वह अधिकार जो नामनिर्देशिनी को प्रदत्त किया गया है, उस दशा में चला जाएगा जब अभिकरण के कर्मचारी की मृत्यु के पूर्व ही नाम- निर्देशिनी की मृत्यु हो जाए या जब नामनिर्देशिनी की मृत्यु अभिकरण के कर्म- चारी की मृत्यु के पश्चात् किन्तु उपदान के संदाय की प्राप्ति के पूर्व हो जाए।	प्रत्येक को संदेय उपदान की रकम या उसका अंश
1	2	3	4	5	6	7

*यह स्तम्भ इस प्रकार से भरा जाना चाहिए कि उपदान की सम्पूर्ण रकम इसमें आ जाए।

**इस स्तम्भ में उपदर्शित उपदान की रकम/कि अंश में मूल नामनिर्देशिनी/नामनिर्देशितियों को संदेय सम्पूर्ण रकम/अंश आ जाना चाहिए।

यह नामनिर्देशन इससे पूर्व.....को मेरे द्वारा किए गए नामनिर्देशन को, जो अब रद्द हो गया है, अधिक्रान्त करता है।

नोट:— (1) परिषद् का कर्मचारी अन्तिम प्रविष्टि के नीचे खाली स्थान में आर-पार रेखाएं खींचेगा जिससे उसके हस्ताक्षर करने के पश्चात्, किसी भी नाम का लिखा जाना रोका जा सके।

(2) जो लागू नहीं हो उसे काट दें।

तारीख.....1981

स्थान.....

साक्षी के हस्ताक्षर

1.

2.

अभिकरण के कर्मचारी के हस्ताक्षर

(कार्यालय प्रधान द्वारा भरा जाएगा)

.....द्वारा नामनिर्देशन

पदनाम.....

कार्यालय.....

कार्यालय के प्रधान के हस्ताक्षर

तारीख.....

पदनाम.....

लिय के प्रधान द्वारा नामनिर्देशन पत्र की प्राप्ति की अभिस्वीकृति का प्ररूप

सेवा में,

.....

महोदय,

आपके तारीख के नामनिर्देशन और तारीख के प्ररूप में उपदान के संबंध में पहले किए गए नामनिर्देशन के रद्दकरण की प्राप्ति को अभिस्वीकृत करते हुए मैं सूचित करता हूँ कि यह अभिलेख में ठीक प्रकार से रख दिया गया है।

स्थान

कार्यालय के प्रधान के हस्ताक्षर

तारीख

पदनाम

नोट: अभिकरण के कर्मचारी को यह सलाह दी गई है कि यदि नामनिर्देशनों और संबंधित सूचनाओं तथा अभिस्वीकृतियों की प्रतियाँ सुरक्षित अभिरक्षा में रखी जाती है तो यह उसके नामनिर्देशनियों के हित में होगा जिससे कि वे उसकी मृत्यु हो जाने की दशा में हिताधिकारियों के कब्जे में आ जाएँ।

प्ररूप 2

(नियम 12 देखिए)

मृत्यु तथा सेवा निवृत्ति उपदान के लिए नामांकन

जब अभिकरण के कर्मचारी का परिवार नहीं है और वह एक सदस्य या एक से अधिक सदस्य को नामित करना चाहता है।

मैं जिसका कोई कुटुम्ब नहीं है नीचे वर्णित व्यक्ति/व्यक्तियों को एतद्वारा नामनिर्देशित करता हूँ और उसे/उन्हें नीचे विनिर्दिष्ट परिमाण तक ऐसे किसी उपदान को जो सेवा के दौरान मेरी मृत्यु हो जाने की दशा में परिषद् द्वारा मंजूर किया जाए, प्राप्त करने का अधिकार और नीचे विनिर्दिष्ट परिमाण तक किसी उपदान को, जो सेवानिवृत्ति पर मेझे अनुज्ञेय हो किन्तु मेरी मृत्यु के समय संदत्त हुए बिना रह गया हो, मेरी मृत्यु पर प्राप्त करने का अधिकार प्रदत्त करता हूँ।

मूल नामनिर्देशिनी

आनुकल्पिक नामनिर्देशिनी

नामनिर्देशिनी/नामनिर्देशितियों का/के नाम और पता/पते	अभिकरण के कर्म- चारी के साथ संबंध	आयु	प्रत्येक को देय उपदान की रकम या उसका अंश	उस व्यक्ति का या उन व्यक्तियों के, यदि कोई हो, नाम पता या पते और संबंध जिसे या जिन्हें वह अधिकार, जो नाम- निर्देशिनी को प्रदत्त किया गया है, उम्र दशा में चला जाएगा जब अभिकरण के कर्मचारी की मृत्यु हो जाए या जब नामनिर्देशिनी की मृत्यु अभिकरण के कर्म- चारी की मृत्यु के पश्चात् किन्तु उपदान के संदाय की प्राप्ति के पूर्व हो जाए।	प्रत्येक को देय उपदान की रकम या उसका अंश
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*यह स्तम्भ इस प्रकार से भरा जाना चाहिए कि उपदान की सम्पूर्ण रकम इसमें आ जाए।

**इस स्तम्भ में उपदिष्ट उपदान की रकम के अंश में मूल नामनिर्देशिनी/नामनिर्देशितियों को संदेय सम्पूर्ण रकम/अंश आ जाना चाहिए।

यह नामनिर्देशन इससे पूर्व को मेरे द्वारा किए गए नामनिर्देशन को, जो अब रद्द हो गया है, अधिकान्त करता है।

टिप्पण: (1) परिषद् का कर्मचारी अन्तिम प्रविष्टि के नीचे खाली स्थान में आर-पार रेखाएँ खीचेगा जिससे कि उसके हस्ताक्षर करने के पश्चात् किसी भी नाम का लिखा जाना रोका जा सके।

(2) जो लागू नहीं हो उसे काट दें।

तारीख 1981

स्थान

साक्षी के हस्ताक्षर

1.

2.

अभिकरण के कर्मचारी के हस्ताक्षर

(कार्यालय के प्रधान द्वारा भरा जाएगा)

..... द्वारा नामनिर्देशन
पदनाम
कार्यालय

कार्यालय के प्रधान के हस्ताक्षर
तारीख
पदनाम

कार्यालय के प्रधान द्वारा नामनिर्देशन प्रत्येक की प्राप्ति की अभिव्यक्ति का प्रोफार्मा ।
सेवा में,

.....
.....
.....

सहायक,

आपके तारीख के नामनिर्देशन और तारीख के प्रत्येक में उपवास के संबंध में पहले दिए गए नामनिर्देशन के प्रकरण की प्राप्ति की अभिव्यक्ति करते हुए मैं सूचित करता हूँ कि यह अभिलेख में ठीक प्रकार से रख दिया गया है ।

स्थान
तारीख

कार्यालय के प्रधान के हस्ताक्षर
पदनाम

टिप्पण : अभिकरण के कर्मचारी को यह सलाह दी जाती है कि यदि नामनिर्देशनों और संबंधित सुचनाओं तथा अभिव्यक्तियों की प्रतियाँ सुरक्षित अभिरक्षा में रखी जाती हैं तो यह उसके नामनिर्देशनियों के हित में होगा जिन्हें कि वे उसकी मृत्यु हो जाने की दशा में हस्ताधिकारियों के कब्जे में आ जाएँ ।

प्रकरण—3

(निधम 12 देखिए)

परिवार का व्यौरा

अभिकरण के कर्मचारी का नाम
पदनाम
जन्म की तारीख
नियुक्ति की तारीख

..... को मेरे कुटुम्ब के सदस्यों का व्यौरा
(तारीख)

क्रम सं०	कुटुम्ब के सदस्यों के नाम	जन्म की तारीख	कर्मचारी के संबंध	कार्यालय के प्रधान के हस्ताक्षर	टिप्पणी
1	2	3	4	5	6
1					
2					
3					
4					
5					
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7					
8					
9					
10					

मैं उपरोक्त विवरणों को किसी भी परिवर्तन या परिवर्तन कार्यालय के प्रधान को अधिभूषित करके प्रस्तुत रखने का अवलोकन करता हूँ ।
स्थान

अभिकरण के कर्मचारी के हस्ताक्षर

तारीख

*हम प्रयोजन के लिए कुटुम्ब से अभिप्रेत है :—

- (क) परिवर्त के प्रत्येक कर्मचारी की दशा में, पत्नी,
- (ख) परिवर्त की महिला कर्मचारी की दशा में, पति,
- (ग) पुत्र जिनकी आयु छठारह वर्ष से कम है और अविवाहिता पुत्रियाँ, जिनकी आयु इक्कीस वर्ष से कम है, जिनके अंतर्गत ऐसा पुत्र या पुत्री है जो सेवा-निवृत्ति से पूर्व विधिक रूप से वधक ली गई है ।

टिप्पणी :—पत्नी और पति के अंतर्गत न्यायिक रूप से पृथक्कृत पत्नी और पति है ।

[मिनिमल संख्या 3/12/76-नि० नि० तथा नि० उ०]

S.O. 1608.—In exercise of the powers conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules, namely :—

1. Short title and commencement :

- (1) These rules may be called the Export Inspection Agency Death-cum-Retirement Gratuity Rules, 1981.
- (2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions :

In these rules, unless the context otherwise requires :

- (a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).
- (b) "Council" means the Export Inspection Council established under Section 3 of the Act.
- (c) "Agency" means the Export Inspection Agency—Bombay/Calcutta/Cochin/Delhi & Madras, established under Section 7 of the Act.
- (d) "Chairman" means Chairman of the Export Inspection Council.
- (e) "Director" means Director of Inspection & Quality Control of the Council.
- (f) "Each year of completed service" means a period of 12 months service rendered by the employee reckoned from the date of higher joining the Agency.
- (g) "Employee" means the whole time regular employee of the Agency whose name appears on the pay roll of the Agency.
- (h) "Family" shall include the following :—
 - (i) Wife in the case of a male employee
 - (ii) Husband in the case of a female employee.
 - (iii) Son
 - (iv) Unmarried and Widowed/daughters } Including step children and adopted children.
 - (v) Brothers below the age of 18 years and unmarried and widowed sisters } Including step brothers and step sisters.
 - (vi) Father.
 - (vii) Mother.
 - (viii) Married daughters, and
 - (ix) Children or a pre-deceased son.
- (i) "Fund" means the Gratuity Fund as stipulated hereunder.
- (j) "Permanent total disability" means disability resulting from any disease/injury which in the opinion of the Council makes the employees concerned totally incapable of rendering service to the Agency.
- (k) "Qualifying service" means services rendered by a person after completion of 18 years of age on regular basis including the period spent on probation from the date of his/her appointment or absorption in Agency but the extra-ordinary leave without salary will not be counted for the purpose.
- (l) "Emoluments" means pay, officiating pay special pay, personal pay, dearness pay, or any other amounts specially declared as such, which the employee was receiving immediately before retirement on the date of his/her death. For the purpose of gratuity the emoluments so calculated are subject to a maximum of Rs. 2,500 per annum.
- (m) "Head of Office" means an officer declared as such by the Director.

3. Applicability of Rules :

These rules shall apply to all the whole time and regular employees of the Export Inspection Agency who were in service as on date of issue of this notification and are governed by the Export Inspection Agency Contributory Provident Fund Rules and shall exclude the following :—

- (i) Casual and non-regular employees
- (ii) Government servants and other employees on deputation basis other than Council employees.

- (iii) Employees on contract basis.
- (iv) Apprentices and trainees.
- (v) Re-employed persons.

Provided that these rules shall not be applicable to those who enter service after introduction of Pension Scheme.

4. Eligibility :

An eligible person shall be granted gratuity under the Rules in the following circumstances :—

- (a) Retrenchment on abolition or post or reduction of establishment.
- (b) Retirement due to permanent disability due to bodily or mental infirmity.
- (c) Retirement on attaining age of superannuation.
- (d) Resignation.

5. Qualifying Period :

Except in the case of death, gratuity will be admissible only after 5 years qualifying services.

6. Amount of Gratuity Admissible :

Gratuity will be payable as described hereunder :—

- (a) Except on the death or permanent total disability of the employee etc, one fourth of emoluments for each completed six monthly period of qualifying service subject to a maximum of 16-1/2 times the emoluments or Rs. 30,000 whichever is less.
- (b) in the case of death, the amount of gratuity will be as calculated under (a) above or as worked out below, whichever be more :—
 - (i) during the first year of service. 2 months' emoluments
 - (ii) after one year but before 5 years service. 6 months' emoluments.
 - (iii) after completion of 5 years service. 12 months' emoluments.

7. Retirement on completion of 20 years of service :

- (a) At any time after the Agency employee has completed 20 years' of qualifying service, he/she may, by giving notice of not less than 3 months in writing to the appointing authority, retire from service.
- (b) The notice of voluntary retirement given under sub-rule (a) above shall require acceptance by the appointing authority.

Provided that where the appointing authority does not refuse to grant permission for retirement before expiry of the period specified under the said notice, the retirement shall become effective from the date of expiry of the said period.

- (c) The qualifying service as on date of intended retirement of the Agency employee retiring under this rule shall be increased by a period not exceeding five years. However, that the total qualifying service rendered by the Agency employee shall not in any case exceed thirty years.

Provided that the total qualifying service after allowing the increase under the sub-rule shall not exceed the qualifying service which the employee would have had, if he/she had retired voluntarily at the lowest age limit for voluntary retirement prescribed under clause (k) of Rule 56 of the Fundamental Rules.

- (d) The Agency employee who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority shall be precluded from withdrawing his notice except with the specific approval of such authority :

Provided that request for withdrawal shall be made before the intended date of his retirement.

(e) Death-cum-Retirement Gratuity of the employees retiring under this rule shall be based on the emoluments as defined under rule 2(E) and the increase not exceeding 5 years in his/her qualifying service shall not entitle him to any notional fixation of pay [Footnote S.O. No. 688 dt. 28-2-1981]

(f) This rule shall not apply to Agency employees who retires from Agency service for being absorbed permanently in an autonomous body or a public sector undertaking or the Central/State Government department to which he/she is on deputation at the time of seeking voluntary retirement.

8. The gratuity shall be payable only in India, as and when sanctioned by the sanctioning authority.

9. All the dues recoverable from the employee can be recovered in full while making payment to him/her or to his/her legal heir(s) in case of death.

10. Competent Authority :

The Authority competent to sanction gratuity shall be :—

- (a) For posts carrying pay/scale of pay maximum of which does not exceed Rs. 2000. Director.
- (b) For posts carrying pay/scale of pay maximum of which does not exceed Rs. 3000. Chairman.

11. Composition of the Fund :

No separate fund for this purpose will be created. It will be derived on accrual basis as and when need arises.

12. Nomination/variation of nomination :

Every employee on joining the service shall make a nomination in a prescribed form (given in Annexure I to III) nominating one or more persons of his/her family the right to receive the gratuity in the event of his/her death indicating the share payable to each member. In case the employee has no family, the nomination may be made in favour of person/ persons or body of persons corporate or non-corporate. Every

nomination made and every notice or cancellation given by an employee shall be filed with the Head of Office.

He shall countersign the nomination indicating the date of receipt. An acknowledgement will be sent to every employee on the receipt of nomination. In the event of there being no nomination the gratuity on death may be paid in the following manners :—

- (a) If there are one or more surviving members of the family, it may be paid to all such members other than any such member who is a widowed daughter in equal shares.
- (b) If there are no surviving members of the family, but there are one or more surviving widowed daughters and/or one or more surviving members of the family the gratuity may be paid to all such members in equal shares.
- (c) If in case an employee dies while in service, or after retirement without receiving any amount of gratuity and leave behind no nomination made by him or the nomination made by him does not subsist the amount of Death-cum-Retirement Gratuity payable to him shall lapse to the Export Inspection Agency.

13. Members not entitled to assign or transfer their entitlement.

No employee is eligible to transfer or assign whether by way of security or otherwise his/her entitlement and no such transfer or assignment shall be valid and the Agency shall not recognise or be bound by notice to them or any of them of any transfer or assignment.

14. Interpretation :

If any question arises relating to the interpretation of these rule, it shall be referred to the Export Inspection Council who shall decide the same.

FORMS

FORM—I

(See rule 12)

Nomination for Death-cum-Retirement Gratuity

When the Agency employee has a family and wishes to nominate one member, or more than one member, thereof.

I, hereby nominate the person/persons mentioned below who is/are member(s) of my family, and confer on him/them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the Council in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death :

Original nominee(s)				Alternate nominee(s)	
Name and addresses of nominees	Relationship with the Agency employee	Age	Amount or share of gratuity payable each*	Name, address relationship and age of the person or persons if any, to whom the right conferred on the nominee shall pass in event of the nominee pre-deceasing the Agency employee or the nominee dying after the death of the Agency employee but before receiving payment of gratuity	Amount or share of gratuity payable to each**
1	2	3	4	5	6

*This column should be filled in so as to cover the whole amount of the gratuity.

**The amount/share of the gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

This nomination supersedes the nomination made by me earlier on.....which stands cancelled.

NOTE : (i) The Agency employee shall draw lines cross the blank space below the last entry to prevent the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

Dated this.....day of198 at.....

Witnesses to signature :

1.....

2.....

Signature of Agency Employees

(To be filled in by the Head of Office)

Nomination by..... Signature of Head of Office

Designation..... Date.....

Office..... Designation.....

Proforma for acknowledgement of the Receipt of the Nomination

Form by the Head of Office

To

.....

.....

.....

Sir,

I acknowledging the receipt of your nomination, dated the...../cancellation, dated the.....of the nomination made earlier in respect of gratuity in Form....., I am to state that it has been fully placed on record.

Signature of Head of Office.

Place.....

Dated the.....

Designation.....

NOTE : The Agency employee is advised that it would be in the interest of his nominees if copies, of the nominations and the related notices and acknowledgements are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

FORM—II

(See rule 12)

Nomination for Death-Cum-Retirement Gratuity

When the Agency employee has no family and wishes to nominate one person or more than one person.

I.....having no family, hereby nominate the person/persons mentioned below and confer on him/them the right to receive to the extent specified below, any gratuity that may be sanctioned by the Council in the event of my death while in service, and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death :

Original nominee(s)			Alternate nominee(s)		
Name and address of the nominee/nominees	Relationship with Agency employee	Age	Amount or share of gratuity payable to each*	Name, address relationship and age of the person or persons if any, to whom the right conferred on the nominee predeceasing the Agency Employee or the nominee dying after the death of the Agency employee but before receiving payment of gratuity.	Amount or share of gratuity payable to each**
1	2	3	4	5	6

*This column should be filled in so as to cover the whole amount of the gratuity.

**The amount/share of the gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

This nomination supersedes the nomination made by me earlier on.....which stands cancelled.

NOTE : (i) The agency employee should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.

(ii) Strike out which is not applicable.

Dated this.....day of.....198 at.....

Witnesses to signature

1.....

2.....

(To be filled in by the Head of Office)

Signature of Agency employee

Nomination by.....

Designation.....

Office.....

Signature of Head of Office

Date.....

Designation.....

Proforma for Acknowledging the receipt of the Nomination Form by the Head of Office.

To

.....

.....

.....

Sir,

In Acknowledging in receipt of your nomination, dated the...../cancellation, dated the..... of the nomination made earlier in respect of gratuity in Form I am to state that it has been duly placed on record.

Place.....

Dated the.....

Signature of Head of Office

(Designation)

NOTE :—The Agency employee is advised that it would be in the interest of his nominee, if copies of the nominations and the related notices and acknowledgement are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

FORM III

(See Rule 12)

Details of Family

Name of Agency Employee :

Designation :

Date of birth :

Date of appointment :

Details of the members of my family* as on

Serial No.	Name of the members of family*	Date of birth	Relationship with the Officer	Initials of the Head of Office	Remarks
1	2	3	4	5	6
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

I hereby undertake to keep the above particulars up-to-date by notifying to the Head of Office any addition or alteration.

Place

Dated.....

Signature of Agency Employed

*Family for this purpose means

(a) wife, in the case of a male Agency employee ;

(b) husband in the case of a female Agency employee ;

(c) sons below eighteen years of age and unmarried daughters below twenty-one years of age, including such son or daughter adopted legally before retirement.

NOTL : Wife and husband shall include respectively judicially separated wife and husband.

[F.No. 3/12/76-El&EP]

का०आ० 1609—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्यात निरीक्षण परिषद अधिदायी भविष्य निधि नियम, 1969 का और संशोधित करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :

1. (1) इन नियमों का संक्षिप्त नाम निर्यात निरीक्षण परिषद अधिदायी भविष्य निधि द्वितीय संशोधित नियम, 1981 है ।

(2) ये राजपत्र में प्रकाशन की तारीख को निवृत्त होंगे ।

2. निर्यात निरीक्षण परिषद अधिदायी भविष्य निधि नियम, 1969 में (1) नियम 2 के उपनियम (4) के स्थान पर निम्नलिखित उपनियम रखा जाएगा, अर्थात् :—

“(4) उपलब्धियों से वेतन छुट्टी वेतन, या जीवन निर्वाह भत्ता जैसा वह मूल नियमों में परिभाषित है, मंहगाई भत्ता, अतिरिक्त मंहगाई भत्ता अभिप्रेत है और इसके अंतर्गत निम्नलिखित है :—

(i) ऐसे कर्मचारियों को, जिनका पारिश्रमिक नियम मासिक वेतन द्वारा नहीं दिया जाता है, परिषद द्वारा संवत् कोई मजदूरी,

(ii) यदि कोई अभिवाता प्रतिनियुक्ति पर है तो वे उपलब्धियाँ जो वह प्राप्त करता यदि वह प्रतिनियुक्ति पर न होता किन्तु कोई बोनस, कमीशन, गृह भाटक भत्ता, अतिरिक्त भत्ता और कोई अन्य भत्ता इसके अंतर्गत नहीं है ।”

(2) नियम 8 के उपनियम (1) में ‘एक बड़ा बारह’ शब्दों के स्थान पर “8 प्रतिशत” शब्द और शब्द रखे जाएंगे ।

(3) नियम 10 के उपनियम (1) में, ‘एक बड़ा बारह’ शब्दों के स्थान पर “8 प्रतिशत” शब्द और शब्द रखे जाएंगे ।

(4) नियम 4 में निम्नलिखित परन्तुक जोड़ा जाएगा, अर्थात् :—
“परन्तु ये नियम न कर्मचारियों को लागू नहीं होंगे जो पेंशन और वाधारण भविष्य निधि स्कीम के आरम्भ होने के पश्चात् सेवा में आए हैं ।”

[फाईल नं० 3/12/76-नि०नि० तथा नि० उ०]

[Footnote S.O No. 688 dt 28-2-1981]

S.O. 1609.—In exercise of the powers conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export Inspection Council Contributory Provident Fund Rules, 1969, namely :—

1. (1) These rules may be called the Export Inspection Council Contributory Provident Fund second amendment rules, 1981.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export Inspection council contributory Provident Fund Rules, 1969,—

(1) for Sub-Rule (4) of Rule 2—the following sub-rule shall be substituted, namely :—

“(4) “emoluments” means, pay, leave salary or subsistence grant as defined in the fundamental rules, Dearness Allowance, Additional Dearness Allowance and includes :—

(i) any wages paid by the Council to employees not remunerated by fixed monthly pay;

(ii) if a subscriber is on deputation, the emoluments which he would have drawn had he not been on deputation ;

but does not include any Bonus, Commission, House Rent Allowance, Overtime wages and any other allowance.”

(2) in rule 8 in sub-rule (1), for the words ‘one-twelfth’ the words “8 per cent” shall be substituted;

(3) in Rule 10, in sub-rule (1) for the words ‘one-twelfth’ the words “8 per cent” shall be substituted;

(4) in rule 4, the following proviso shall be added, namely :—

“Provided that these rules shall not be applicable to those who enter service after introduction of Pension-cum-General Provident Fund Scheme.”

[F. No. 3/12/76-El&EP]

[Footnote S.O. No. 688 dt. 28-2-1981]

का० आ० 1610—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्यात निरीक्षण अधिकरण अधिदायी भविष्य निधि नियम, 1969 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1 (1) इन नियमों का संक्षिप्त नाम निर्यात निरीक्षण अधिकरण अधिदायी भविष्य निधि द्वितीय संशोधन नियम, 1981 है ।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे ।

2 निर्यात निरीक्षण अधिकरण अधिदायी भविष्य निधि नियम, 1969 में,

(1) नियम 2 के उपनियम (4) के स्थान पर निम्नलिखित उपनियम रखा जाएगा, अर्थात् :—

“(4) “उपलब्धियाँ” से वेतन छुट्टी वेतन या जीवन निर्वाह जैसे अनुदान मूल नियमों में परिभाषित है, मंहगाई भत्ता, अतिरिक्त मंहगाई भत्ता अभिप्रेत है और उसके अंतर्गत निम्नलिखित है :

(i) ऐसे कर्मचारियों को, जिनका पारिश्रमिक नियम मासिक वेतन द्वारा नहीं दिया जाता है, अधिकरण द्वारा संवत् कोई मजदूरी

(ii) यदि कोई अभिवाता प्रतिनियुक्ति पर है तो वे उपलब्धियाँ जो वह प्राप्त करता यदि प्रतिनियुक्ति पर न होता किन्तु कोई बोनस, कमीशन, गृह भाटक भत्ता अतिरिक्त भत्ता और कोई अन्य भत्ता इसके अंतर्गत नहीं है ।”

(2) नियम 8 के उपनियम (1) में “एक बड़ा बारह” शब्दों के स्थान पर “8 प्रतिशत” शब्द और शब्द रखे जाएंगे ।

(3) नियम 10 के उपनियम (1) में “एक बड़ा बारह” शब्दों के स्थान पर “8 प्रतिशत” शब्द और शब्द रखे जाएंगे ।

- (3) नियम 4 में निम्नलिखित परम्पक जोड़ा जाए, धर्तु
"परन्तु ये नियम उन कर्मचारियों को लागू नहीं होंगे जो
पेशन और साधारण भविष्य निधि स्कीम के आरम्भ होने के
पश्चात् सेवा में आए।"

[फाईल सं० J/12/76-मि०नि० तथा नि०उ०]]

म०ब० कुक्रेती, संयुक्त निदेशक

[Footnote S.O. No. 689 dt. 28-2-1981]

S.O. 1610.—In exercise of the powers, conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export Inspection Agency Contributory Provident Fund Rules, 1969, namely :—

1. (1) These rules may be called the Export Inspection Agency Contributory Provident Fund Rules, Second Amendment rules, 1981.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export Inspection Agency Contributory Provident Fund Rules, 1969 :—

(1) for sub-rule (4) of Rule 2—the following sub-rule shall be substituted, namely :—

"(4) 'emoluments' means pay, leave salary or subsistence grant as defined in the fundamental rules, Dearness Allowance, Additional Dearness Allowance and includes :—

(i) any wages paid by the Agency to employees not remunerated by fixed monthly pay;

(ii) if a subscriber is on deputation, the emoluments which he would have drawn had he not been on deputation;

but does not include any Bonus, Commission, House Rent Allowance, Overtime wages and any other allowance."

(2) in rule 8 in sub-rule (1), for the words 'one-twelfth' the words " 8 per cent" shall be substituted;

(3) in rule 10 in sub-rule (1) for the words one-twelfth' the words "8 per cent" shall be substituted;

(4) in rule 4, the following proviso shall be added, namely :—

"Provided that these rules shall not be applicable to those who enter service after introduction of Pension-cum-General Provident Fund Scheme."

[F. No. 3/12/76-EIEP]

C. B. KUKRETI, Joint Director

[Footnote S.O. No. 689 dt. 28-2-1981]

(बाणिज्य विभाग)

नई दिल्ली, 14 मई, 1981

(तम्बाकू उद्योग विकास नियंत्रण)

का० आ० 1611—केन्द्रीय सरकार, तम्बाकू बोर्ड अधिनियम, 1975 (1975 का 4) की धारा 4 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, भारत सरकार के भूतपूर्व बाणिज्य, नागरिक पूर्ति तथा सहकारिता मन्त्रालय (बाणिज्य विभाग) की अधिसूचना सं० का० आ० 100 (अ), तारीख 19 फरवरी, 1979 का निम्नलिखित और संशोधन करती है, अर्थात् :—

उन अधिसूचना में क्रम सं० 8 और 11 तथा उनसे संबंधित प्रविष्टियों के स्थान पर त्रमण निम्नलिखित क्रम सं० और प्रविष्टियाँ रखी जाएंगी, अर्थात् :—

"8 निदेशक/उप निदेशक, जो सदस्य औद्योगिक विकास में सिवेट उद्योग, औद्योगिक संबंधित मन्त्रालय का विकास विभाग, नई दिल्ली प्रतিনিधित्व करने के में संबंधित कार्य कर रहे निम्न। है।

11 श्री जी० बी० कमल, सदस्य गुजरात सरकार का संयुक्त निदेशक, कृषि (कपास, प्रतিনিधित्व करने के तंबाकू और चीनी), कृषि निम्न। निदेशक का कार्यालय, गुजरात सरकार, गान्धी-नगर"।

[सं० 8/11/79-ई० पी० (कृषि VI)]
श्री० पी० गुप्ता, डेस्क अधिकारी

(Department of Commerce)

New Delhi, the 14th May, 1981

(Tobacco Industry Development Control)

S.O.1611—In exercise of the powers conferred by sub-section (4) of section 4 of the Tobacco Board Act, 1975 (40 of 1975), the Central Government hereby makes the following further amendments in the Notification of the Government of India in the late Ministry of Commerce Civil supplies and Cooperation (Department of Commerce) No. S.O. 100 (E) dated the 19th February, 1979, namely :—

In the said Notification for serial Nos. 8 and 11 and the entries relating thereto, the following serial Nos. and entries shall, respectively be substituted, namely :—

"8. Director/Deputy Sec- Member To represent the retary, dealing with cigarette industry, Department of Industrial Development, New Delhi. Ministry dealing with Industrial Development.

11. Shri G.B. Kasad, joint Member To represent the Director of Agriculture Government of Gujarat. (Cotton, Tobacco and Sugar), office of Director of Agriculture Government of Gujarat, Gandhinagar."

[No. 8/11/79-EP(Agri VI)]
O. P. GUPTA, Desk Officer

(मुख्य निबंधक आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली, 11 मई, 1981

का० आ० 1612—सर्वश्री, इण्डियन फार्मरस कोऑपरेटिव लि०, 34 नेहरू स्क्वेम, नई दिल्ली को आई० डी० ए० क्रेडिट मजबूती संस्था 598-आई० एन० के० अन्तर्गत पर्याप्त गैस रिक्वैरी यूनिट के लिए उपस्कर और फालतू पुर्जों का आयात करने के लिए 100,56,000 (एक करोड़ और छपन लाख रुपए मात्र) के लिए एक आयात लाइसेंस सं० आई/सीजी/2034155/आई/ए/68/एच/78/सीजी-2/एलएम, दिनांक 3-10-78 प्रदान किया गया था। फर्म ने ऊपर उल्लिखित लाइसेंस की सीमा शुल्क प्रयोजन प्रति की अनुसूचि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति खो गई या अस्तित्व में ही गई है। आगे यह भी बताया गया है लाइसेंस की सीमा शुल्क प्रयोजन प्रति बम्बई सीमा शुल्क अधिकारी के पास पंजीकृत नहीं गई थी और सीमा शुल्क प्रयोजन प्रति का 83,51,318 रुपए की सीमा तक उपयोग कर लिया गया था और उसने 17,04,782/रुपए शेष बच गए थे।

2. अपने तर्क के समर्थन में साक्ष्यकारी ने गोदरी पब्लिक, नई दिल्ली के सामने विधिवत शपथ लेकर स्टाम्प कागज पर एक शपथ पत्र दाखिल किया है तदनुसार मैं संतुष्ट हूँ कि आयात लाइसेंस सं० आई० सी० जी०/2034155, दिनांक 3-10-78 की सीमा शुल्क प्रयोजन प्रति पत्र द्वारा खो गई/अस्थानस्थ हो गई है। यथा सशोधित आयात (नियंत्रण) अधिनियम, 1955, दिनांक 7-12-1955 की उपधारा 9 (ग-ग) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए सर्वथा कामरेस कोपरेटिव लि०, को जारी की गई मूल सीमा शुल्क प्रयोजन प्रति सं० आई० सी० जी०/2034155, दिनांक 3-10-78 एन्डोरा रद्द की जाती है।

3. पार्टी को उपर्युक्त लाइसेंस की अनुलिपि सीमा शुल्क प्रयोजन प्रति अलग से जारी की जा रही है।

[मिसिल सख्या सी० जी०-2/सी० एण्ड सी०/117/78-79/145/179]

जी० एम० ग्रेवाल, उप मुख्य निरीक्षक, आयात-निर्यात

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 11th May, 1981

S.O. 1612.—M/s. Indian Farmers Cooperative Ltd., 34, Nehru Place, New Delhi, granted an Import Licence No. I/

CG/2034155/I/A/68/H/78/CGII/L.S. dated 3-10-78 for Rs. 1,00,56,000 (Rupees One crore and fifty six thousand only) for import of Equipment and spares for Purge (Gas Recovery Unit under I.D.A. Credit Agreement No. 598-IN. The firm has applied for issue of duplicate copy of Customs/Propose copy of the above mentioned licence on the ground that the original Customs Purposes copy of the licence has been lost or misplaced. It has further been stated the Customs/Purposes copy of the licence was registered with Customs authority at Bombay and that the value of customs purposes copy has been utilised to the extent of Rs. 83,51,218 leaving a balance of Rs. 17,04,782.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before Notary Public New Delhi. I am accordingly satisfied that the original customs Purposes copy of import licence No. I/CG/2034155 dated 3-10-78 has been lost/or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955, as amended, the said original Customs Purposes copy No. 1/CG/2034155 dated 3-10-78 issued to M/s. Indian Farmers Cooperative Limited is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued to the party separately.

[Misc. No. CGII/P&C/117/78-79/145/79]

G. S. GREWAL, Deputy Chief Controller of Imports & Exports

भाषाईक पूर्ति संस्थालय



भारतीय मानक संस्था

नई दिल्ली, 1981-05-12

का० भा० 1613:—भारतीय मानक संस्था (प्रमाण चिन्ह) विनियम 1955 के विनियम 4 के उपविनियम (1) के अनुसार भारतीय मानक संस्था की ओर से अधिसूचित किया जाता है कि जिन मानक चिन्हों के डिजाइन उनके शाब्दिक विवरण तथा तत्सम्बन्धी भारतीय मानक के शीर्षक सहित नीचे अनुसूची में दिए गए हैं वे भारतीय मानक संस्था द्वारा निर्धारित किए गए हैं।

भा० भा० संस्था (प्रमाणन चिन्ह) अधिनियम, 1952 और उसके अधीन बने नियमों और विनियमों के निमित्त ये मानक चिन्ह उनके आगे दी गई नियमों से लागू होंगे:

अनुसूची



क्रम संख्या	मानक चिन्ह के डिजाइन	उत्पाद/उत्पाद की श्रेणी	तत्सम्बन्धी भारतीय मानक का पदसंख्या और शीर्षक	मानक चिन्ह के डिजाइन का शाब्दिक विवरण	लागू होने की तिथि
1	2	3	4	5	6
1.		साचे ढले आइस्क्रिम के फीके कोन	IS: 7187—1974 आइस्क्रिम कोन की विशिष्टि	भारतीय मानक संस्था का मोनोग्राम जिसमें "ISI" शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की संस्था और बर्ण दिया गया है।	1981-01-16
2.		5 लिटर से अधिक जल समाई वाले नए निर्मित एलपीजी सिलेण्डरों के वाल्व	IS: 8737(भाग 2)—1978 5 लिटर से अधिक जल समाई वाले द्रवित पेट्रो-लियम गैस (एलपीजी) सिलेण्डरों में प्रयुक्त वाल्व फिटिंग की विशिष्टि भाग 2 नए निर्मित एलपीजी सिलेण्डरों के वाल्व फिटिंग	भारतीय मानक संस्था का मोनोग्राम जिसमें "ISI" शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की संस्था और बर्ण तथा मोनोग्राम के नीचे की ओर तत्सम्बन्धी भाग संख्या दी गई है।	1981-01-01

MINISTRY OF CIVIL SUPPLIES
INDIAN STANDARDS INSTITUTION
 New Delhi, the 1981-05-12

S.O. 1613.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution, hereby, notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each :

SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark	Date of Effect
(1)	(2)	(3)	(4)	(5)	(6)
1.		Moulded unsweetened ice-cream cones	IS - 7187-1974 Specification for ice-cream cones.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard, alongwith its year, being superscribed on the top side of the monogram as indicated in the design.	1981-01-16
2.		Valve for newly manufactured LPG cylinders of more than 5 litre water capacity.	IS : 8737 (Part II)-1978 Specification for valve fittings for use with liquefied petroleum gas (LPG) cylinders of more than 5 litre capacity : Part II Valve fittings for newly manufactured LPG cylinders.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2); the number of the Indian Standard, alongwith its year, being superscribed on the top side and the relevant, part number being subscribed under the bottom side of the monogram as indicated in the design.	1981-01-01

[No. CMD/13 : 9]

क्र० भा० 1614.—भारतीय मानक संस्था (प्रमाणन बिन्ह) विनियम, 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि विभिन्न उत्पादों की प्रति इकाई मुहर लगाने की फीस नीचे अनुसूची में दिए गए व्योम के अनुसार निर्धारित की गई है और ये फीस उनके सामने दिखाई गई तिथियों से लागू होंगी :

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	संस्तम्बन्धी भारतीय मानक की पदसंख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने का शुल्क	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1.	सांघे वाले भाइमकीम के फीके कोंन	IS : 7187—1974 भाइसकीम कोंन की विशिष्टि	1000 कोंन	1. 25 पैसे प्रति इकाई पहली इकाइयों के लिए, और 2. 15 पैसे प्रति इकाई 10001 वीं और इससे ऊपर की इकाइयों के लिए	1981-01-16
2.	5 लिटर से अधिक जल समार्ष वाले निर्मित एल-पंजी सिलेंडरों के वाल्व	IS : 8737 (भाग 2)— 1978—5 लिटर से अधिक जल समार्ष वाले प्रबलित पेट्रोलियम गैस	एक वाल्व	1. 10 पैसे प्रति इकाई पहली इकाइयों के लिए, और 2. 5 पैसे, प्रति इकाई 30001 वीं और इससे ऊपर की इकाइयों के लिए	1981-01-01

1	2	3	4	5	6
		(एलपीजी) मिलेडरो से प्रयुक्त बाल्व फिटिंग की विशिष्ट भाग 2 नए निर्मित एलपीजी मिले- डरो के बाल्व फिटिंग			

[म० सी एम डी/13-10]

S.O. 1614. -In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee(s) per unit for various products details of which are given in the Schedule hereto annexed have been determined and the fee(s) shall come into force with effect from the dates shown against each :

SCHEDULE

Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit	Date of Effect
(1)	(2)	(3)	(4)	(5)
1. Moulded unsweetened ice-cream cones.	IS : 7187--1974 Specification for ice-cream cones.	1000 Cones	(i) 25 Paise per unit for the first 10000 units and (ii) 15 Paise per unit for the 10001st unit and above.	1981-01-16
2. Valve for newly manufactured LPG cylinders of more than 5 litre water capacity.	IS: 8737 (Part II)—1978 Specification for valve fittings for use with liquefied petroleum gas (LPG) cylinders of more than 5 litre capacity : Part II Valve fittings for newly manufactured LPG cylinders.	One Valve	(i) 10 Paise per unit for the first 30000 units and (ii) 5 Paise per unit for the 30001st unit and above.	1981-01-01

[No. CMD/13 : 10]

क्रा० आ० 1615 —समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विस्त) विनियम, 1955 के विनियम 8 के उपविनियम (1) के अनुसार, भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि 102 लाइसेंस, जिनका विवरण नीचे अनुसूची में दिया गया है, जनवरी 1978 में विये गये हैं, और लाइसेंसधारियों का मानक विस्त को इस्तेमाल करने का अधिकार दिया गया है —

अनुसूची

क्रम	लाइसेंस संख्या संख्या (सी एम/एल)	बधना की अवधि से तक	लाइसेंसधारी का नाम और पता	लाइसेंस के अधीन वस्तु/प्रक्रिया और सम्बन्धी भारतीय मानक परामा	
(1)	(2)	(3)	(4)	(5)	
1.	सीएम/एल—6633 1978-01-05	78-02-01	79-01-31	यूनाइटेड वायर रोप्स लि०, मारुति- कुमार रोड, थाना—400606 (महाराष्ट्र)	तेल के कुम्भों और तेल-कुम्भों की खुवाई में इस्तेमाल होने वाले तेल के रस्से IS 4521—1969
2	सीएम/एल—6631 1978-01-05	78-01-16	79-01-31	एशियन इंडस्ट्रियल कार्पोरेशन, 357, प्रिम अनवरणाह रोड, टौनिंगज, कलकत्ता—700058 (कार्यालय : 3 अमृतला स्ट्रीट, कलकत्ता—700001)	कटाई से प्रयुक्त धुलनशील तेल— IS : 1115—1973
3.	सीएम/एल—6635 1978-01-05	78-01-16	79-01-15	एम० गुहा एंड कम्पनी, जलखुरा रोड, डा० भद्रेशानल्ला 24 परगना	कृषिकार्य के लिए साफ, ठंडे, ताजे पानी के लिए, क्षैतिज अपकेन्द्रीय पम्प, साइज 75×60 से मी, 5 हाप 1440 बक्कर प्रति मिनट IS: 6595—1972

(1)	(2)	(3)	(4)	(5)	(6)
4. सीएम/एल—6636 1978-01-05	78-01-01	79-12-31	वेकटेश्वर स्टील्स (प्रा०) लि०, 63, गिबार्नी रोड, नई दिल्ली	कंक्रीट प्रबलन के लिए ठंडे मुड़े बिकृत इस्पात के सरिये— IS : 1786—1966	
5. सीएम/एल—6637 1978-01-06	78-01-16	79-01-15	प्रकाश इंडस्ट्रीज, विट्ठलकन्या विद्यालय रोड, नाडियाद, जि० खेड़ा (गुजरात)	नागर प्रतिक्रिया (मिविल डिफेंस) के लिए अधातु के टोप IS : 2300—1968	
6. सीएम/एल—6638 1978-01-06	78-01-16	79-01-15	नवीन बायर प्राइक्टस प्रा० लि०, सुलतानपुर रोड, कपूरथला (पंजाब)	वाइ लगाने के लिए जस्तीकृत इस्पात के कंटीले तार (टाइप-ए)— IS : 278—1969	
7. सीएम/एल—6839 1978-01-06	78-01-16	79-01-15	नेशनल बाबिन क०, 472/473 बलवा इंडस्ट्रियल इस्टेट, विन्जोल, जिला अहमदाबाद (कार्यालय : निर्मल पथर कुम्भा, ग्लोफ रोड, पो० बा० सं० 169, अहमदाबाद-380001)	एन्यूमीनियम प्लग प्रकार के तकुश्रों पर इस्तेमाल के लिए तानक नलिया— IS : 3625—1971	
8. सीएम/एल—6840 1978-01-06	78-01-16	79-01-15	आटो इमिशन प्रा० लि०, 5 डी/8ई, रेलवे रोड, फरीदाबाद (हरियाणा)	प्रबलन कुशलिया, 12 बाब्ट IS : 2325—1963	
9. सीएम/एल—6841 1978-01-06	78-01-06	79-02-31	भागमल पेंट इंडस्ट्रीज, (इडिया) 16-ए, डी० एल० एफ० इंडस्ट्रियल एरिया, नजफगढ़ रोड, नयी दिल्ली-15	जलमट्ट तथा मन्दबन्दी कार्य के लिए बितूमिनी पदार्थ IS : 1580—1969	
10. सीएम/एल—6642 1978-01-06	78-01-16	79-01-15	जुरीटर ग्लाम वर्क्स, बी-209, नारायण इंडस्ट्रियल एरिया, फेज-1, नयी दिल्ली-29	दूध के पिंपट (10.75 मि०)— IS : 1223(भाग 2)—1972	
11. सीएम/एल—6643 1978-01-06	78-01-01	78-12-31	मिदो पेंट इंडस्ट्रीज बी-91, 92, माथापुरी इंडस्ट्रियल एरिया, फेज-1, नई दिल्ली-64 (कार्यालय : 260 कमला मार्केट, नई दिल्ली-110001)	मीमेन्ट रंग-रागन, वाशिंग रंग— IS : 5410—1969	
12. सीएम/एल—6644 1978-01-06	78-01-16	79-01-15	विजयेश्वरिंग गिंग ट्रेवलर्स मयूफैक्टरिंग क० प्रा० लि०, ए-5, कोयम्बतूर प्रा० इंडस्ट्रियल इस्टेट, कुर्गिनी, कोयम्बतूर—641021 (कार्यालय—सं० 4, टी इस्टेट कम्पाउंड, रेम कार्म, कायम्बतूर-641018)	रिंग कटाई फ्रेमों के लिए धातु के ट्रेवलर, प्रकार/ग्रेड/माइज : दीर्घवृत्तीय ट्रेवलर, रेंज 1/0 से 26/0, प्लेज सं० 1 और 2 IS : 3523—1971	
13. सीएम/एल—6645 1978-01-06	78-01-16	79-01-15	परग ट्रेडर्स (कोठारी तेल उत्पाद क० के कम्पाउन्ड में) जाटपुर रोड, गोंडन (जि० राजकोट)	18 मिटर के चौकोर टिन IS : 916—1975	
14. सीएम/एल—6646 1978-01-06	78-01-16	79-01-15	नवलराम एग्रो-मशीनरीज प्रा० लि०, नरोडा रोड, कल्याण मिल के पीछे, अहमदाबाद—380002	अपकेन्द्रीय पम्प IS : 6595—1972	
15. सीएम/एल—6647 1978-01-06	78-01-16	79-01-15	श्रीप्रशिक्षा ट्यूब्स, बनवा तालिका, दासक्राय, अहमदाबाद—380003 (कार्यालय : कंकड़िया अहमदाबाद-380008)	मंरचना कार्यों के लिये इस्पात की नालिया— IS : 1161—1968	
16. सीएम/एल—6648 1978-01-06	78-01-16	79-01-15	सेन्ट्रल इंसेक्टीसाइड्स एण्ड फर्टिलाइजर्स, (प्रो० सेन्ट्रल पेन्टम लि०, इन्वीर) 88/8, जी आर्. बी. सी. इंडस्ट्रियल इस्टेट, बतवा, जिला अहमदाबाद	डी० बी० टी० धूपन चूर्ण 10% IS : 564—1975	

(1)	(2)	(3)	(4)	(5)	(6)
17. सीएम/एल--6649 1978-01-06	78-01-01	78-12-31	नेशनल कंटेनर वर्क्स, 9-10, इंडस्ट्रियल इस्टेट, राजपुरा (पंजाब)- 140401	18 लिटर के चौकोर टिन, टाइप/ग्रेड, साइज : डिस्कट प्रकार चौड़े मुह वाले-- IS : 916--1975	
18. सीएम/एल--6650 1978-01-06	78-01-16	79-01-15	फैडस एण्ड कं. (रजि.) 123/205, गरड़ियां पुरवा, कानपुर (कार्यालय : 51/46, नयागंज, कानपुर)।	पशुओं के लिए साधारण नमक और चाटने के नमक का डेला, टाइप साइज-- IS : 920--1972	
19. सीएम/एल--6651 1978-01-10	78-01-16	79-01-15	रेलिस इंडिया लि., 94, इंडस्ट्रियल इस्टेट, अम्बातुर, मद्रास-58	सी. प्रो. सी, धूलन कृष्ण-- IS : 1506--1967	
20. सीएम/एल--6652 1978-01-10	78-01-16	79-01-15	केरल इलेक्ट्रिकल एण्ड एसाइड इंजी. कं. लि., ममाला (इं.) कोचीन, (केरल राज्य)	एसी मोटर स्टार्टर, टाइप/ग्रेड/साइज : भारती 12, सीधा लाइन स्टार्टर, 3.7 किबो, 415 वोल्ट स्टार्टर-- IS : 1822--1967	
21. सीएम/एल--6653 1978-01-10	78-01-16	79-01-15	मायनामाइड इंडिया लि., डा. अतुल, जि. बलसाड़ (गुजरात)	फेनीट्रोथियोन पायमनीय सांद्र 50% IS : 5281--1969	
22. सीएम/एल--6654 1978-01-10	78-01-16	79-01-15	ईस्ट इंडिया कमर्शियल कं. प्रा. लि., श्री कृष्ण जूट मिल्स, एलूर, जि. पश्चिमी गोदावरी, (आन्ध्र प्रदेश)	ए-दिवल से बुने जूट के बोरे, साइज : 112×67.5 सेमी-- IS : 1943--1964	
23. सीएम/एल--6655 1978-01-10	78-01-16	79-01-15	सुजानिल केमो इंडस्ट्रीज, गणेशनगर, चिन्नवाड़, पुणे-411033	एंडोसल्फन पायमनीय सांद्र-- IS : 4323--1967	
24. सीएम/एल--6656 1978-01-10	78-01-16	79-01-15	स्वास्तिक वायर्स, इंडस्ट्रियल इस्टेट, डा. धीरगढ़, जि. रायपुर (म.प्र.)	सामान्य इंजीनियरी कार्यों के लिए एम. एस. तार-- IS : 280--1972	
25. सीएम/एल--6657 1978-01-10	78-01-16	79-01-15	विजय स्टील रोलिंग मिल्स प्रा. लि., 37, पीन्वा इंडस्ट्रियल एरिया, द्वितीय फेज--बंगलोर-652139	संरचना इस्पात (मानक किस्म) IS : 226--1975	
26. सीएम/एल--6658 1978-01-12	78-01-16	79-01-15	कुमारधूसी इंजी. वर्क्स लि., डा. कुमारधूसी, जिला धनबाद (बिहार)	सतह को सख्त बनाने के लिए कायन इस्पात की ठलाई-- IS : 2707--1973	
27. सीएम/एल--6659 1978-01-12	78-01-16	79-01-15	कुमारधूसी इंजी. वर्क्स लि. डा. कुमारधूसी, जि. धनबाद (बिहार)	1.5 प्रतिशत मैंगनीज इस्पात की ठलाई-- IS : 2708--1973	
28. सीएम/एल--6660 1978-01-12	78-01-16	79-01-15	लक्ष्मी इंजी. वर्क्स (साइबा) इंडस्ट्रियल इस्टेट, शोलापुर-413003	कृषि कार्यों के लिए साफ, ठंडे, ताजे पानी के शैतिज अपकेन्द्रीय पम्प, साइज : 80 मिमी. × 65 मिमी., माइल एल. के-80-- IS : 6595--1972	
29. सीएम/एल--6661 1978-01-13	78-01-16	79-01-15	श्रीराम स्टील रोलिंग मिल्स, कोलशेट रोड, पावर हाउस के पास, थाना (महाराष्ट्र) (कार्यालय : तीसरी मंजिल, यूनिशन के बिज के ऊपर, पोर्टिया इंडस्ट्रियल इस्टेट, दादर, बम्बई-400010	संरचना इस्पात (मानक किस्म)---- IS : 226--1975	
30. सीएम/एल--6662 1978-01-13	78-01-01	79-01-31	एसके स्टील रोलिंग मिल्स, सुरेन्द्र इंडस्ट्रीज कम्पाउंड, द्वितीय पोखरण रोड, माजीवाड़, थाना (कार्यालय : 22, बड़ीवा स्ट्रीट, बम्बई 9)	संरचना इस्पात (मानक किस्म) वर्ग-1 IS : 226--1975	
31. सीएम/एल 6663 1978-01-13	78-02-01	79-01-31	"	संरचना इस्पात (सामान्य किस्म) वर्ग-1 IS : 1977-1975	

(1)	(2)	(3)	(4)	(5)	(6)
32	सीएम/एल—6664 1978-01-13	78-01-16	79-01-15	आल्हावेत एमो—केमिकल्स, आल्हावेत भवन, बडौत (मेरठ) उ० प्र०	बी० एच० सी० धूलन धूलन— IS 561—1972
33	सीएम/एल—6665 1978-01-13	78-01-16	79-01-15	सूदर्शन प्लाईवुड इंडस्ट्रीज, माकूम पठार, ए० टी० रोड, मरवेरीता (असम)	सामान्य कार्यों के लिए प्लाईवुड, बीडव्यू भार, सी डब्ल्यू भार और डब्ल्यू डब्ल्यू भार— IS 303—1975
34	सीएम/एल—6666 1978-01-15	78-01-16	79-01-15	जयन्त कापर एण्ड स्टील वायर प्राइवेट लैम—शमोहानी, लालबखान बे पाम, डा० मन्तरी रोड, जि० बिलासपुर (म० प्र०)	एएम/एमीएम भार चालक— IS 398 (भाग 1 और 2)—1978
35	सीएम/एल—6667 1978-01-16	78-02-01	79-01-31	केमो मिनरल इंडस्ट्रीज, माहून मिल कम्पाउंड, कोलशेट रोड थाना	थिरम जलविस्तर्तनीय धूलन धूलन की पुन पैकेजबन्दी— IS 4766—1968
36	सीएम/एल—6668 1978-01-16	78-02-01	79-01-31	डी० के० मेटल इंडस्ट्रीज ए-25, पीरामल इंडस्ट्रियल इन्स्टेंट एस० बी० रोड, गोरेगाव बम्बई-62	पिटवा ऐल्युमिनियम के बर्तन— IS 1660—1967
37	सीएम/एल—6669 1978-01-16	78-02-01	79-01-31	इंडियन टूल मैनुफैक्चरर्स लि० प्लाट न० 62-63 एम० आई० डी० सी० एरिया, सतपुर, तामिक-7 (महाराष्ट्र)	रीमर— IS 5444—1969 IS 5446—1969 IS 5907—1970 और IS 5919—1970
38	सीएम/एल—6670 1978-01-16	78-02-01	79-01-31	केमो मिनरल इंडस्ट्रीज, मोहन मिल कम्पाउण्ड, कोलशेट रोड, थाना	थिरम बीज संसाधन निमित्त की पैकेज- बन्दी— IS 4783—1968
39	सीएम/एल—6671 1978-01-16	78-02-01	79-01-31	एन० टी० बैटन चेट्टियर एण्ड क०, 370, चौथी गली, के० के० पुटुर रोड, कोम्पारेटिव कालोनी कोयम्बतूर-38	बाय जी पेटी के लिए धातु के फिटिंग, मब साइजा के— IS 10 (भाग 4)—1976
40	सीएम/एल—6672 1978-01-16	78-01-16	79-01-15	एम० बी० सुवरणा एण्ड क०, 10, इंडस्ट्रियल टाउन, राजाजी नगर, बगलौर-560044	धातु के रोलिंग गटर और ग्रिज टाइप "ए"— IS 6248—1971
41	सीएम/एल—6673 1978-01-16	78-01-01	79-01-31	ओवरसीज इजीनियर्स माधवी प्लाट, राजकोट-560004	डीजल इंजन-टाइप/ग्रेड/साइज 5 88 किवा० (8 हाफ) 850 आरपीएम, खड़ा, जलशीतल—
42	सीएम/एल—6674 1978-01-16	78-02-01	79-01-31	रेलिस इंडिया लि०, कोप्पुरावरु, नाम्बूर रे० स्टे०, जि० गुन्दूर	आइमियोएट की पैकेज बन्दी— IS 3903—1975
43	सीएम/एल—6675 1978-01-16	78-02-01	79-01-31	सी इंडियन केबिल क० लि०, गोलमूरी, जमशेदपुर (बिहार) (कार्यालय 9 हरे स्ट्रीट, कलकत्ता-31)	माटर गाड़ियों के लिए केबल, प्रकार ग्रेड/साइज प्रज्वलन केबल—सब प्रकार और साइजों के— IS 2465—1969
44	सीएम/एल—6676 1978-01-16	78-02-01	79-01-31	कल्पना बाल्व मैनु० क०, इण्डापुर रोड, दासनगर, हावड़ा-5 (प० ब०)	जलकल कार्यों के लिए स्लूम बाल्व— IS 780—1969
45	सीएम/एल—6677 1978-01-16	78-02-01	79-01-31	फोर्ट ग्लोस्टर इंडस्ट्रीज लि०, (केबल विभाग) डा० फोर्ट ग्लोस्टर, जि० हावड़ा-711310 (कार्यालय 31 चौखी रोड, कलकत्ता-1)	माटर गाड़ियों के लिए केबल, प्रकार/ ग्रेड/साइज प्रज्वलन केबल— सब प्रकार और साइजों के— IS 2465 (भाग I)—1969

(1)	(2)	(3)	(4)	(5)	(6)
46. सीएम/एल—6678 1978-01-16	78-02-01	79-01-31	खरबाहू कं० लि०, डा० टीटागढ़, 24 परगना (प० बं०) (कार्यालय : 7, बेलेजनी प्लेस, कलकत्ता-1)	बी-टिबल से बुने बोरे— IS : 2566—1965	
47. सीएम/एल—6679 1978-01-16	78-02-01	79-01-31	" "	भारतीय हेमियन (टाट) टाइप/पेंड/माइज : 305 जी/एम ^३ , 229 जी/एम ^३ — IS : 2818—1971	
48. सीएम/एल—6680 1978-01-16	78-02-01	69-01-31	बी केल्विन जूट कं० लि०, 24, पार्क रोड, तालपुकुर, 24 परगना (प० बंगाल)	बी० टिबल— IS : 2566—1965	
49. सीएम/एल—6681 1978-01-23	78-02-01	79-01-31	बनाज इंजीनियर्स प्रा० लि०, 85/1, पाउड रोड, गुणे-411029	बिक्रित्तीय गैस सिमिडरो के लिए योफ टाइप के वाल्व संयोजन, प्रकार ग्रेड/माइज : आक्सीजन वाल्व— IS : 3745—1966	
50. सीएम/एल—6682 1978-01-24	78-01-16	79-01-15	नपफरबाद जूट मिल्स लि०, भूतनाथ कोले रोड, डा० कांकीनारा, जि० 24 परगना (कार्यालय : 36 स्ट्रेड रोड, कलकत्ता-1 प० बंगाल)	बी-टिबल से बुने पटसन के बोरे और हाई सी पटसन के बोरे— IS : 2566—1965 और IS : 2874—1964	
51. सीएम/एल—6683 1978-01-24	78-01-16	79-01-15	"	भारतीय हेमियन (टाट) के बोरे— IS : 2818 (भाग 2)—1971 और IS : 3790—1966	
52. सीएम/एल—6684 1978-01-24	78-01-16	79-01-15	"	घाटे के लिए जूट का कपड़ा, दोहरे नाने के घाटे के बोरे— IS : 3966—1967 और IS : 3984—1967	
53. सीएम/एल—6685 1978-01-24	78-01-16	79-01-15	"	जवरकों के बोरो के लिए जूट का कपड़ा, 407 जी/मि ^३ — IS : 7407—1974	
54. सीएम/एल—6686 1978-01-24	78-01-16	79-01-15	"	जूट के कालीनों के लिए पृष्ठा धारी कपड़ा— IS : 4900—1969	
55. सीएम/एल—6687 1978-01-24	78-01-16	79-01-15	नपफरबाद जूट मिल्स लि०, भूतनाथ कोले रोड, डा० कांकीनारा, जि० 24 परगना (कार्यालय : 36 स्ट्रेड रोड, कलकत्ता-1 प० बंगाल)	ऊन भरने के लिए नये पटसन के बोरे IS : 4856—1968	
56. सीएम/एल—6688 1978-01-24	78-02-01	79-01-31	मिलुभा स्टील एण्ड बायर कं० लि०, 15/2, बेसूर रोड, मिलुभा, हावड़ा	बरखाजे, खिड़की और रोगनदान के लिए गर्म केल्विन इस्पात संयोजन— टाइप / ग्रेड/माइज : खिड़की खंड डी-6 IS : 7152—1974	
57. सीएम/एल—6689 1978-01-24	78-02-01	79-01-31	एन्फोडम इंडस्ट्रीज, प्लाट नं० 34, मोनेरीको इंडस्ट्रियल कम्प्लेक्स, तेलियरगंज—इलाहाबाद -211004 (कार्यालय : न्यू प्रानीसेट हाउस बिल्डिंग, प्रथम तल, 83, जवाहर स्क्वेयर, इलाहाबाद-211003)	स्कूटर और मोटर साइकिल सवारों के बचाव के लिए टोप, माइज : 540, 550, 560, 565, 570, 580 और 590 मिमी— IS : 4151—1976	
58. सीएम/एल—6690 1978-01-24	78-02-01	79-01-31	भारत पल्पराइजिंग मिल्स प्रा० लि०, 1074, टी० एच० रोड, मद्रास—600 0 19	पेनथोएटपायसनीय गज द्रव— IS : 8291—1976	
59. सीएम/एल—6691 1978-01-24	78-02-01	79-01-31	विजय पल्पराइजर्स पेड्डाकाकनी, मंगला-गिरि रोड, जि० गुन्दूर(प्रा० प्र०)	एडीसल्फान पायसनीय तेज द्रव, 35 प्रतिशत— IS : 4323—1967	

(1)	(2)	(3)	(4)	(5)	(6)
60. सीएम/एल—6692 1978-01-24	78-02-01	79-01-31	नागार्जुन एगो एण्ड स्टील कापो०, नाडे- पल्लि, जि० गुन्दूर (प्रा० प्र०)	बी० एच० सी—जल विमर्जनीय धूलन चूर्ण— IS: 562—1972	
61. सीएम/एल—6693 1978-01-24	78-02-01	79-01-31	न्यू केमिकल इंडस्ट्रीज अणोक नगर, ग्राम रोड नं० 1, कांटीवली (ई) बम्बई- 400067 (कार्यालय: रोहित चैम्बरस, द्वितीय तल, चोया स्ट्रीट, फोर्ट, बम्बई -400023)	एंडोमर्फान धूलन चूर्ण, 1 प्रतिशत— IS: 4322—1967	
62. सीएम/एल—6694 1978-01-24	78-02-01	79-01-31	वेंकटेश्वर स्टीलम (प्रा०) लि०, 63, शिवाजी मार्ग, नई दिल्ली-110015 (कार्यालय: 29, शिवाजी मार्ग, नई दिल्ली-110015)	संरचना इस्पात (साधारण किस्म)— IS: 1977—1975	
63. सीएम/एल—6695 1978-01-24	78-02-01	79-01-31	भारती मिनिरल्स, 15/7, मधुरा रोड, फरीदाबाद-121002	डी०डी०टी० जलविमर्जनीय धूलन चूर्ण— IS: 565—1975	
64. सीएम/एल—6696 1978-01-24	78-02-01	79-01-31	"	शारमिषोट पायमनीय तेज इव— IS: 3903—1975	
65. सीएम/एल—6697 1978-01-25	78-02-01	79-01-31	जय केमिकल्स, 14/1, मधुरा रोड, फरीदाबाद (हरयाणा)	डी०डी०टी० धूलन चूर्ण— IS: 564—1975	
66. सीएम/एल—6698 1978-01-25	78-02-01	79-01-31	"	कार्बोराइज धूलन चूर्ण— IS: 7122—1975	
67. सीएम/एल—6699 1978-01-25	78-02-01	79-01-31	"	एन्ड्रिन धूलन चूर्ण— IS: 1308—1974	
68. सीएम/एल—6700 1978-01-25	78-02-01	79-01-31	रबीन्द्र ट्यूब्स लि०, बसधां किनोमीटर पत्थर, दिल्ली रोड, हिमाल (हरयाणा)	मृदु इस्पात की नलिया, हल्की, कासी, जस्ती, सब साइजों की— IS: 1239 (भाग I)—1973	
69. सीएम/एल—6701 1978-01-25	78-02-01	79-01-31	शिवबुर्गा ब्राइरन वर्क्स (प्रा०) लि०, 156/1, मधुसूदन पाल चौधरी लेम, हावड़ा	स्विंग शैक मुमा वाल्व (न लौटने वाले), टाइप/साइज: एक द्वार वाले, 450 मिमी तक साइज वाले— IS: 5312 (भाग I)—1969	
70. सीएम/एल—6702 1978-01-25	78-02-01	79-01-31	इंडियन क्रुप्सिकेटर कं० लि०, 114, डा० लाल मोहन भट्टाचार्य रोड, ऐस्टाली, कलकत्ता-14	स्टैशिल वेपर, टाइप: म्यूटल, म्यूटल दोहरा लेपन ब्यूअरिस्ट— IS: 5086—1975	
71. सीएम/एल—6703 1978-01-25	78-02-01	79-01-31	विजय इंडस्ट्रीज, ई-4, पटेल इंडस्ट्रियल इस्टेट, प्रताप नगर, बड़ौदा-4	कोलतार खाद्य रंग निमित्तियां, प्रकार/वेड: चूर्ण— IS: 5346—1975	
72. सीएम/एल—6704 1978-01-25	78-02-01	79-01-31	एवनी पैकेजिंग एस्टेब्लिश, ए-12, गिरिराज इंडस्ट्रियल इस्टेट, महाकाली केस रोड, भंघेरी (ईस्ट) बंबई-400093	गन्धक वेपर टेप— IS: 4185—1967	
73. सीएम/एल—6705 1978-01-25	78-01-01	78-12-31	कारोमंडल प्रोबोराइट प्रा० लि०, थट्टन- कुलम रोड, माधवराम, मद्रास-600060	रसायन प्रतिरोधी मसाले, टाइप/वेड/ साइज: सिलिकेट राल गन्धक टाइप, सीमेंट प्रोबोर एमडब्ल्यू के फीमा- मिन "ए" और पुराचिन— IS: 4832 (भाग 1 और 2)—1969 और IS: 4832 (भाग 3)—1968	
74. सीएम/एल—6706 1978-01-27	78-02-01	79-01-31	फेसको लिटवेयर्स, 88 एफ-15 सी, काम- राज रोड, निरूपुर-638604	सादी बुनी सूती बनियानें टाइप: गोल गले, गोल गले व आस्तीन वाली, साइज: 70 से 90 सेमी, गेज: 26 IS: 4964 (भाग 2)—1975	

1	2	3	4	5	6
75	सीएम/एल—6707 1978-01-27	78-02-01	79-01-31	स्वर्ण इलेक्ट्रिकल्स, 14, शुभराम चेटी रोड बमबान गृही, बंगलौर-560004	पानी गरमाने के बिजली के डबाऊ हीटर, 2 किवा० तक के— IS: 368—1977
76	सीएम/एल—6708 1978-01-27	78-02-01	79-01-31	परलाइट वायर प्राइवेट्स लि०, एले०पी, पथिरपल्ली, एले०पी (कार्यालय, XXXV/360-1 एम० जी० रोड, पी० ब्रा० न० 1749 कौचीन-682016)	दुलाई के काम के लिए इस्पात के तार के रस्से IS: 1856—1970
77	सीएम/एल—6709 1978-01-27	78-02-01	79-01-31	सहायक इंजिनीयर, ए-34, लघु उद्योग केन्द्र, बिलिङ्ग नं० 3, आई०बी० पटेल रोड, गोरेगांव (ईस्ट) बंबई-400063	पिटवां एल्युमिनियम की डेगयी मध्यम वर्ग, 19000 ग्रेड— IS: 1680—1967
78	सीएम/एल—6710 1978-01-27	78-02-01	79-01-31	किशन इलेक्ट्रिकल्स प्रा० लि०, डा० चिकम्बरपुर, जी०टी० रोड, गाजियाबाद	घरेलू तथा मध्यम कार्यों के लिए स्विच, 2 एएमपी, 250 वोल्ट— IS: 3854—1966
79	सीएम/एल—6711 1978-01-27	78-02-01	79-01-31	किशन इलेक्ट्रिकल्स प्रा० लि०, आकसीजन हाउस, जी०टी० रोड, नानी बाईर, गाजियाबाद (उ०प्र०)	भारी कार्य के लिए एयर-ड्रैक स्विच और एयर ड्रैक फ्यूजों को मिश्रित इकाई, 16 एएमपी, 240 वी० IS: 4047—1967
80	सीएम/एल—6712 1978-01-27	78-02-01	79-01-31	भारपी ऐम्बरप्राइजेज, 37 न्यू मार्केट, वैस्ट पटेल नगर, मई दिल्ली-110008	बिजली की इस्ती भरवचन, 450 वी०— IS: 366—1965
81	सीएम/एल—6713 1978-01-27	78-02-01	79-01-31	कलकत्ता वाटर प्राइवेट्स लि०, करीमबक्श रो, कलकत्ता-700002	मैक्रोमी, स्पाघेटी और सेवाई— IS: 1485—1976
82	सीएम/एल—6714 1978-01-27	78-02-01	79-01-31	पेस्टकेम कं०, एम आई डी सी शीट नं० 26 कैमिकल जोन, अम्बरनाथ (जिला धामा)	डीडीटी 25 प्रतिशत पायसनीय तेज द्रव— IS: 633—1975
83	सीएम/एल—6715 1978-01-27	78-02-01	79-01-31	एस०एम०पी० प्रा० लि०, सुभाष नगर, सुभाष रोड, जोगेश्वरी, बंबई-400060	बी०एच०सी० पायसनीय तेज द्रव— IS: 632—1972
84	सीएम/एल—6716 1978-01-27	78-02-01	79-01-31	खेड़ा जिला सहकारी दुग्ध उत्पादक संघ लि०, आनन्द (गुजरात)	संसाधित पनीर— IS: 2785—1964
85	सीएम/एल—6717 1978-01-27	78-02-01	79-01-31	के०टी० इंजिनीयरिंग प्रा० लि०, 19/सी. हरीश नियोगी रोड, कलकत्ता-700067 (कार्यालय: 34/1, न्यू रोड, कलकत्ता-700027)	चाय की पेटियों के लिए प्लाईवुड के तख्ते— IS: 10 (भाग 2)—1976
86	सीएम/एल—6718 1978-01-27	78-02-01	79-01-31	पंकज आइरन एण्ड स्टील वर्क्स प्रा० लि०, 643, टी०एच० रोड, तिरुवोलीयूर, मद्रास-600019	बिटुमिन के ड्रम, टाइप बी— IS: 3575—1977
87	सीएम/एल—6719 1978-01-27	78-02-01	79-01-31	डी इंडियन केबिल कं० लि०, 9, हरे स्ट्रीट, कलकत्ता-700001	खानों में इस्तेमाल के लिए कागज रोषित केबल— IS: 1027—1968
88	सीएम/एल—6720 1978-01-31	78-02-01	79-01-31	डी बुडियालूर को-ऑपरेटिव एग्रिकल्चरल सर्विसेज लि०, मेदूपलायम रोड, बुडियालूर, कोम्बटूर-641034	एंडोसल्फान पायसनीय तेज द्रव— IS: 4323—1967
89	सीएम/एल—6721 1978-01-31	78-02-01	79-01-31	आरियेन्ट स्टील एण्ड इंजिनीयरिंग लि०, ग्राम-बतरा, सोरामपुर के उपमार्ग से एन०एच० नं० 2 का 31वां कि०मी० पथर (कलकत्ता से), जिला हुगली (प० बंगाल)	संरचना इस्पात (मानक किस्म) के रूप में पुनर्वेलन के लिए कार्बन इस्पात के ठले बिलेट इंगट— IS: 6914—1973
90	सीएम/एल—6722 1978-01-31	78-02-01	79-01-31	" "	संरचना इस्पात (साधारण किस्म) के रूप में पुनर्वेलन के लिए कार्बन इस्पात के ठले बिलेट इंगट— IS: 6914—1973

1	2	3	4	5	6
91	सीएम/एल-6723 1978-01-31	78-02-16	79-02-15	अजन्ता इलेक्ट्रिक इंडस्ट्रीज, 9/110, विश्वास नगर, शाहबरा, दिल्ली-32	250/110 वाट के एन्युमिनियम चालको वाले पीवीसी राशित केबल IS 6914 (भाग 2)--1964
92	सीएम/एल-6724 1978-01-31	78-05-01	79-01-30	किलोस्कर विमान इक्विपमेंट लि०, कोटलूद, पुणे-411029	छोटे आकार के चिंगारी प्रज्वलन इजन, टाइप/ग्रिड/साइज केपी-35 (1.3 बीएसपी, 6000 चक्कर प्रति मिनट क्षमता, 3500 एसएफसी निश्चित दर के उत्पादन पर, 530 जीएम/किवा/घंटे-- IS 7347--1974
93	सीएम/एल-6725 1978-01-31	78-02-01	79-01-31	वीर इजीनियरिंग वर्क (प्रा०) जी० टी० रोड (वार्ड-पारम) जाल्थर-4	जलकल कार्यों के लिए सी०आई० मलस वाल्व, साइज 50 और 200 मिमी बर्ग-1 IS 780--1969
94	सीएम/एल-6726 1978-01-31	78-02-16	79-02-15	आरती मिनरल्स (कोटताणक विभाग) 15/7, मधुरा रोड, फरीदाबाद (हरियाणा)	स्थिरांकृत मैथ आक्सी इथाइल मर्क्युरिक क्लोराइड सान्द्र-- IS 2358--1963
95	सीएम/एल-6727 1978-01-31	78-02-16	79-02-15	वाल्मर्हा, लि० पाटनजेरु, जि० मेरठ (आ० प्र०) (कार्यालय 87/डी. राष्ट्रपति रोड, मिहन्दराबाद-500003) (आ० प्र०)	फोमेलोन चूर्ण 4 प्रतिशत-- IS 8198--1977
96	सीएम/एल-6728 1978-01-31	78-02-16	79-02-15	"	फोमेलोन पायसनीय तेज द्रव 35 प्रति- शत-- IS 8487--1977
97	सीएम/एल-6729 1978-01-31	78-02-16	79-02-15	नवीन थायर प्रॉडक्ट्स प्रा० लि०, मुल्तानपुर रोड, कपूरथला (प०)	10 मिमी तक व्यास के एस०एस० बार, फिनिश जस्तीकृत (विद्युत विश्लेषी गर्म डुबाये) स्थिति मृदु आवरण, हल्के-- IS 280--1972
98	सीएम/एल-6730 1978-01-31	78-02-16	79-02-15	गोपेज इलेक्ट्रिकल्स, कालमण्डपम्, पाल- घाट-678007 (केरल)	एच और सी फ्यूज लिंक, टाइप/ग्रिड/साइज . एच और सी फ्यूज लिंक आ आई 415 वोल्ट, बर्ग-3 250 एम्पीयर लक और ए और एच रेटिंग पर आई साइज जी IS 2208--1962
99	सीएम/एल-6730 1978-01-31	78-02-16	79-02-15	इंटरनेशनल एंजनी (इंडिया) 25, एन० जी० साहा रोड बेहला, कलकत्ता-61 (कार्यालय 6/3, मदन स्ट्रीट, कलकत्ता- 13)	एंडोसल्फान पायसनीय तेज द्रव 35 प्रतिशत-- IS 4323--1967
100	सीएम/एल-6732 1978-01-31	78-02-01	79-01-31	एन्युमिनियम उद्योग, खामागार्ड, बिलासपुर रोड, मदन बाजार, रायपुर (म०प्र०)	बतनों की ग्रेड के लिए पिटना एल्यु- मिनियम और एन्युमिनियम मिश्र धातु-- 19000-0, 19500-0 IS 21--1975
101	सीएम/एल-6733 1978-01-31	78-02-16	79-02-15	गोपेज स्टील इंडस्ट्रीज 57, मालापन- घोषा स्ट्रीट, लिम्लुआ, हावड़ा	सुरचना इस्पात (मानक किस्म)-- IS 226--1975
102	सीएम/एल-6734 1978-01-31	78-02-01	79-01-31	भारत इंडस्ट्रियल कार्पो०, झुलूक बाड़ी, गोहाटी-14 (असम) (कार्यालय बी० आर० फूकन राड, भारालूमुख, गोहाटी (असम)	पैराफिन मोम-- IS 4654--1974

[स० सीएमबी/1311]

ए०पी० बनर्जी, उपमहाविदेशक

S.O. 1615.—In pursuance of sub-regulation (1) of Regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended from time to time, the Indian Standards Institution hereby notifies that one hundred twelve licences, particulars of which are given in the following Schedule, have been granted during the month of January 1978 authorizing the licensees to use the Standard Marks :

SCHEDULE

Sl No.	Licence No. (CM/L-)	Period of Validity		Name and Address of the Licensee	Article/Process covered by the Licences and the Relevant IS : Designation
		From	To		
1	2	3	4	5	6
1.	CM/L-6633 1978-01-05	78-02-01	79-01-31	United Wire Ropes Ltd., Marutikumar Road, Thana-400606 (Maharashtra).	Wire ropes used in oil wells and oil well drilling) IS : 4521—1968
2.	CM/L 6634 1978-01-05	78-01-16	79-01-15	Asian Industrial Corp., 357, Prince Anwar Shah Road, Tollygung, Calcutta-700058 (Office : 3 Amratolla Street, Calcutta-700001).	Oil cutting, soluble — IS : 1115—1973
3.	CM/L-6635 1978-01-05	78-01-16	79-01-15	S. Guha & Co., Jalkhura Road, P.O. Maheshtala, 24 Parganas.	Horizontal centrifugal pumps for clear, cold, fresh water for agricultural purposes, size : 75 × 60 cm, 5HP, 1440 rpm— IS : 6595—1972.
4.	CM/L-6636 1978-01-05	78-01-01	78-12-31	Venkateswara Steels (P) Ltd., 63, Shivaji Road, New Delhi.	Cold twisted deformed steel bars for concrete reinforcement— IS : 1786—1966
5.	CM/L-6637 1978-01-06	78-01-16	79-01-15	Prakash Industries, Vithalkonya, Vidhalaya Road, Nadiad, Dissit Kaira (Gujarat).	Non-metal helmets for civil defence— IS : 2300—1968
6.	CM/L-6638 1978-01-06	78-01-16	79-01-15	Navin Wire Products Pvt. Ltd., Sultanpur Road, Kapurthala (Pb.)	Galvanized steel barbed wires for fencing (type A)— IS 278—1969
7.	CM/L-6639 1978-01-06	78-01-16	79-01-15	National Bobbin Co., 472/473, Vatva Industrial Estate, Vinzol, Distt. Ahmedabad (Office 'Nirmal' Pattharkuva Relief Road, Post Box No. 169, (Ahmedabad-380001).	Warp tubes for use on aluminium, plug type spindles) IS : 3625—1971
8.	CM/L-6640 1978-01-06	78-01-16	79-01-15	Auto Ignition Pvt. Lt., 5D/ 8E, Railway Road, Faridabad (Haryana).	Ignition coils, 12 volts — IS : 2325—1963
9.	CM/L-6641 1978-01-06	78-01-01	78-12-31	Bhagsons Paint Industries (India) 16, A, D.L.F. Industrial Area Najafgarh Road, New Delhi-15.	Bituminous compound for water, proofing and caulking purposes— IS : 1580—1969
10.	CM/L-6642 1978-01-06	78-01-16	79-01-15	Jupiter Glass Works, B-209 Naraina Industrial Area, Phase I, New Delhi-28	Milk pipette (10.75 ml.)— IS : 1223 (Pt. II) —1972
11.	CM/L-6643 1978-01-06	78-01-01	78-12-31	Metro Paint Industries, B-91-92, Mayapuri Industrial Area, Phase I, New Delhi-27 (Office 260, Kamla Market) New Delhi-110001	Cement Paint, colour as required — IS : 5410-1969
12.	CM/L-6644 1978-01-06	78-01-16	79-01-15	Vijayeswari Ring Travellers Manufacturing Co. Pvt. Ltd., A-5, Coimbatore Pvt. Industrial Estate, Kurichi, Coimbatore-641021 (Office : No. 4, Tea Estates Compound, Race Course, Coimbatore-641018	Metal travellers for ring spinning frames Type/Grade/size : Elliptical ring traveller range/0 to 26/0 flange Nos. 1 and 2 — IS : 3523—1974
13.	CM/L-6645 1978-01-06	78-01-16	79-01-15	Parag Traders, (In the compound of Kothari Oil Products Co.), Jatpur Road, Gonda (Distt. Rajkot)	18-Litre square tins — IS : 916—1975
14.	CM/L-6646 1978-01-06	78-01-16	79-01-15	Navalram Agro Machineries (P) Ltd., Naroda Road, Behind Kalyan Mills, Ahmedabad-380002	Centrifugal pump — IS : 6595—1972
15.	CM/L-6647 1978-01-06	78-01-16	79-01-15	Shri Ambica Tubes, Vatva Taluka, Daseri, Ahmedabad-380003 (Office : Kankaria, Ahmedabad-380008)	Steel tubes for structural purposes) IS : 1161—1968
16.	CM/L-6648 1978-01-06	78-01-16	79-01-15	Central Insecticides & Fertilizers, (Prep. Central Paints Ltd., Indore) 88/8, G.I.D.C. Industrial Estate, Vatva, Distt. Ahmedabad	DDT DP 10% IS : 564—1975

1	2	3	4	5	6
17.	CM/L-6649 1978-01-06	78-01-01	78-12-31	National Container Works, 9-10, Industrial Estate, Rajpura (Pb.)-140401	18-litres square tins Type/Grade/Size— Biscuit Type—Wide mouth IS : 916—1975
18.	CM/L-6650 1978-01-06	78-01-16	79-01-15	Friends & Co. (Regd), 123/205, Gararian Purwa, Kanpur (Office : 51/46, Nayaganj, Kanpur)	Cattle licks & common salt for animal consumption Type : Plain IS : 920—1972
19.	CM/L-6651 1978-01-10	78-01-16	79-01-15	Rallis India Ltd., 94, Industrial Estate, Ambattur, Madras-58	COC dusting powers— IS : 1506—1967
20.	CM/L-6652 1978-01-10	78-01-16	79-01-15	Kerala Electrical & Allied Engg. Co. Ltd., Mamala P.O. Cochin, Kerala State	AC motor starters Type /Grade/Size : RD 12 Direct on line starters 3.7 kW, 415 V starter— IS : 1822—1967
21.	CM/L-6653 1978-01-10	78-01-16	79-01-15	Cyanamid India Ltd., Atul Post Office Distt Bulsar (Gujarat)	Fenitrothion EC50%— IS : 5281—1969
22.	CM/L-6654 1978-01-10	78-01-16	79-01-15	East Indian Commercial Co., Pvt. Ltd., Sri Krishna Jute Mills, Eluru, West Godavari Distt. (Andhra Pradesh)	A-twill jute bags size: 112 x 67.5 cm— IS : 1943—1964
23.	CM/L-6655 1978-01-10	78-01-16	79-01-15	Sujanil Chemical Industries, Ganesh Nagar, Chinchwad, Pune-411 033	Endosulfan EC— IS : 4323—1967
24.	CM/L-6656 1978-01-10	78-01-16	79-01-15	Swastik Wires, Industrial Estate, P.O. Bir-gadh, Distt. Raipur (M.P.)	M.S. Wire for general engg. purposes— IS : 280—1972
25.	CM/L-6657 1978-01-10	78-01-16	79-01-15	Vijaya Steel Rolling Mills Pvt. Ltd., 37, Peenya Industrial Area, 2nd Phase, Bangalore-562139	Structural steel (standard quality) — IS : 226—1975
26.	CM/6658 1978-01-12	78-01-16	79-10-15	Kumardhubi Engg. Works Ltd., Kumar-dhubi P.O. Distt. Dhanbad (Bihar)	Carbon steel casting for surface harden-ing— IS : 2707—1973
27.	CM/L-6659 1978-01-12	78-01-16	79-01-15	-do-	1.5 per cent manganese steel casting— IS : 2708—1973
28.	CM/L-6660 1978-01-12	78-01-16	79-01-15	Laxmi Engg. Works (Branch), Industrial Estate, Sholapur-413003	Horizontal centrifugal pumps for clear cold, fresh water for agricultural purposes—Size : 80mm x 65 mm model LK 80— IS : 6595—1972
29.	CM/L-6661 1978-01-13	78-01-16	79-01-15	Shree Ram Steel Rolling Mills, Kolshet Road, Near Power House, Thana (Maharashtra) Office : 3rd Floor, Above Union Weigh Bridge, Pottla Industrial Estate, Darukhana, Bombay-400010	Structural steel (standard quality)— IS : 226—1975
30.	CM/L-6662 1978-01-13	78-01-01	79-01-31	Esskay Steel Rolling Mills, Surrendra Industries Compound, 2nd Pokhran Road, Majiwad, Thana. (Office : 22 Baroda Street, Bombay-9)	Structural steel (standard quality)— Group 1— IS : 226—1975
31.	CM/L-6663 1978-01-13	78-02-01	79-01-31	-do-	Structural steel (or ordinary quality)— Group 1— IS : 1977—1975
32.	CM/L-6664 1978-01-13	78-01-16	79-01-15	Alawet Agro Chemicals, Ahlawet Bhawan, Baraut (Meerut) (U.P.)	BHC DP— IS : 561—1972
33.	CM/L-6665 1978-01-13	78-01-16	79-01-15	Sudershan Plywood Industries, Makum Pathar, A.T. Road, Margherita (Assam)	Plywood for general purposes BWR, CWR & WWR— IS : 303—1975
34.	CM/L-6666 1978-01-13	78-01-16	79-01-15	Jayant Copper & Steel Wire Products, Vill. : Domohani, Near Lalkhadan, Masturi Road, P.O., Distt. Bilaspur (MP)	AAC/ACSR conductor— IS : 398 (Pt. I & II) 1976
35.	CM/L-6667 1978-01-16	78-02-01	79-01-31	Chemo Mineral Industries, Mohan Mill Compound, Kolshet Road, Thana.	Repacking of thiram WDP— IS : 4766—1968
36.	CM/L-6668 1978-01-16	78-02-01	79-01-31	D.K. Metal Industries, A-25, Biramal Industrial Estate, S.V. Road, Goregaon, Bombay-62.	Wrought aluminium utensils— IS : 1660—1967
37.	CM/L-6669 1978-01-16	78-02-01	79-01-31	Indian Tool Mfr. Ltd., Plot Nos. 62-63, M.I.D.C. Area, Satpur, Nasik-7 Maharashtra.	Reamers— IS : 5444—1969, IS : 5446—1969, IS : 5907—1970 and IS : 5919—1970
38.	CM/L-6670 1978-01-16	78-02-01	79-01-31	Chemo Mineral Industries, Mohan Mill Compound, Kolshet Road, Thana.	Repacking of thiram seed dressing formulation— IS : 4783—1968

1	2	3	4	5	6
39.	CM/L-6671 1978-01-16	78-02-01	79-01-31	N.T. Bhatnagar Chatterjee & Co., 370, 4th Street, K.K. Pudur Road, Co-operative Colony, Coimbatore-38.	Tea-chest metal fittings all sizes IS : 10 (Pt IV) -1976
40.	CM/L-6672 1978-01-16	78-01-16	79-01-15	S.B. Suvranga & Co., 10, Industrial Town, Rajajinagar, Bangalore-560044	Metal rolling shutters & rolling grills Type A : push pull, Type 'A' IS : 6248--1971
41.	CM/L-6673 1978-01-16	78-02-01	79-01-31	Ovesens Engineers, Muvdi Plot, Raj- kot-360004	Deisel engines Type/Grade/Size : 5.88 KW (8 HP) 850 RPM vertical, water cooled IS : 1601--1960
42.	CM/L-6674 1978-01-16	78-02-01	79-01-31	Rallis India Ltd., Koppuravru, Nambur R.S. Guntur Distt.	Repacking of dimethoate IS : 3903--1975
43.	CM/L-6675 1978-01-16	78-02-01	79-01-31	The Indian Cable Co. Ltd. Golmuri, Jam- shedpur (Bihar) (Office : 9, Hare Street, Calcutta-31)	Cables for motor vehicles Type/Grade Size : Ignition cables-all types-sizes —IS: 2465--1969
44.	CM/L-6676 1978-01-16	78-02-01	79-01-31	Kalpna Valves Mfg Co. Ichapur Road, Dasnagar, Howrah-5 (W.B.)	Sluice valve for water works pur- poses— IS : 780---1969
45.	CM/L-6677 1978-01-16	78-02-01	79-01-31	Fort Gloster Industries Ltd. (Cable Divi- sion), P.O., Fort Gloster, Distt. Howrah- 711310 (Office : 31 Chowringhee Road, Calcutta-1)	Cables for motor vehicles Type/Garde/ Size : ignition cables all type and sizes— IS : 2465(Pt I)—1969
46.	CM/L-6678 1978-01-16	78-02-01	79-01-31	Khardah Co. Ltd., P.O. Titagarh, 24 Par- gas (W.B.) (Office : 7 Wellesley place, Calcutta-1)	B-twill bags— IS : 2566 -1965
47.	CM/L-6679 1978-01-16	78-02-01	79-01-31	—do—	India hessian Type /Grade/Size : 305 g/m ² 229g/m ² — IS : 2818 --1971
48.	CM/L-6680 1978-01-16	78-02-01	79-01-31	The Kelvin Jute Co. Ltd., 24 Park Road, Talpukur, 24 Parganas (W.B.)	B-twill— IS : 2566--1965
49.	CM/L-6681 1978-01-23	78-02-01	79-01-31	Vanaz Engineers Pvt. Ltd. 85/1 Poud Road, Poona-411029	Yoke type valve connection for medical gas cylinders Type/Garde/ Size : Oxygen valve— IS : 3745--1966
50.	CM/L-6682 1978-01-24	78-01-16	79-01-15	Naffar Chandra Jute Mills Ltd. Bhutnath Kolay Road, P.O. Kankinara, Distt 24 Parganas (Office : 36 Strand Road, Calcutta-1) (West Bengal)	B-twill jute bags & Hy cec jute bags - IS : 2566--1965 and IS : 2874--1964
51.	CM/L-6683 1978-01-24	78-01-16	79-01-15	—do—	Indian hessian, hessian bags IS : 2818 (Pt II)1971 and IS : 3790--1966
52.	CM/L-6684 1978-01-24	78-01-16	79-01-15	—do—	Flour jute cloth, DW Flour bags— IS : 3966--1967 and IS : 3984--1967
53.	CM/L-6685 1978-01-24	78-01-16	79-01-15	—do—	Jute fabric for fertilizer bag 407 g/m ² — IS : 7407 --1974
54.	CM/L-6686 1978-01-24	78-01-16	79-01-15	—do—	Jute carpet backing fabric— IS : 4900--1969
55.	CM/L-6687 1978-01-24	78-01-16	79-01-15	—do—	New Jute wool pack— IS : 4856--1968
56.	CM/L-6688 1978-01-24	78-02-01	79-01-31	Lilluah Steel & Wire Co. Ltd., 15/2, Belur Road, Lilluah, Howrah.	Hot rolled steel section for door, window and ventilator— Type/ Grade/Size : window section T-6— IS : 7452--1974
57.	CM/L-6689 1978-01-24	78-02-01	79-01-31	Aciprod Industries, Plot No. 34, Monereco Indl. Complex, Teliaragunj, Allaha- bad-211004 (Office : New Ornament House Bldgs, 1st Floor, 83, Jawahar Square, Allahabad-211003).	Protective helmets for scooter & motor cycle riders a size: : 540, 550, 560, 565, 570 580 and 590 mm-- IS : 4151--1976
58.	CM/L-6690 1978-01-24	78-02-01	79-01-31	Bharat Pulverising Mills Pvt. Ltd., 1074, T.H. Road, Madras-690019.	Phenthoate EC IS : 8291 --1976
59.	CM/L-6691 1978-01-24	78-02-01	79-01-31	Vijaya Pulverisers, Pedakakani, Mangala- giri Road, Guntur Distt. (A.P.).	Endosulfan EC 35 % IS : 4323--1967

(1)	(2)	(3)	(4)	(5)	(6)
60	CM/L-6692 1978-01-24	78-02-01	79-01-31	Nagarjuna Agro & Steel Corpn., Tadepalli, Guntur Dist. (A.P.)	BHC WDP— IS : 562—1972
61.	CM/L-6693 1978-01-24	78-02-01	79-01-31	New Chemi Industries, Ashok Nagar, Gross Road No. 1, Kandivlee (F), Bombay- 400067 (Office : Rohit Chambers, 2nd Floor, Ghoga Street, Fort Bombay-400023).	Endosulfan DP 4%— IS : 4322—1967
62.	CM/L-6694 1978-01-24	78-02-01	79-01-31	Venkateswara Steels (P) Ltd., 63, Shivaji Marg, New Delhi-110015, (Office : 29, Shivaji Marg, New Delhi- 110015)	Structural steel (ordinary quality) IS : 1977—1975.
63.	CM/L-6695 1978-01-24	78-02-01	79-01-31	Alice Minerals 15/7, Mathura Road, Faridabad-121002.	DDT WDP— IS : 565—1975
64.	CM/L-6696 1978-01-24	78-02-01	79-01-31	-do-	Dimethoate EC— IS : 3903—1975
65.	CM/L-6697 1978-01-25	78-02-01	79-01-31	J i Chemicals, 14/1, Mathura Road, Faridabad(Haryana).	DDT DP— IS : 564—1975
66.	CM/L-6698 1978-01-25	78-02-01	79-01-31	-do-	Carbaryl DP— IS : 7122—1973
67.	CM/L-6699 1978-01-25	78-02-01	79-01-31	-do-	Aldrin DP— IS : 1303—1974.
68	CM/L-6700 1978-01-25	78-02-01	79-01-31	Ravindra Tubes Ltd., 10th K.M. Stone, Delhi Road, Hissar (Haryana).	Mild steel tubes, light, black gal- vanized, all sizes— IS : 1239 (Pt I)—1973
69.	CM/L-6701 1978-01-25	78-02-01	79-01-31	Shivadurga Iron Works (P) Ltd., 156/1, Madhusudan Pal Chowdhury Lane, Howrah	Swing check type reflux (non-return) valves Type/Size : single door pattern upto and including 450 mm. size - IS : 5312 (Pt I)—1969
70.	CM/L-6702 1978-01-25	78-02-01	79-01-31	Indian Duplicator Co., Ltd., 114, Dr. Lal Mohun Bhattacharjee Road, Entally, Calcutta-14	Stencil paper type : neutral, neutral double coating dureprint - IS : 5086—1969.
71.	CM/L-6703 1978-01-25	78-02-01	79-01-31	Vijay Industries, E 4, Patel Industrial Estate, Pratapggar, Baroda-4.	Cola tar food colour preparations Type/Grade : Powder— IS : 5346—1975.
72.	CM/L-6704 1978-01-25	78-02-01	79-01-31	Acne Packaging Enterprise, A-12, Guiraj Industrial Estate, Mahakali Caves Road, Andheri (East), Bombay-400093.	Gunmed paper tapes— IS : 4185—1967.
73.	CM/L-6705 1978-01-25	78-01-01	78-12-31	Coromandal Plodorite Pvt. Ltd., Thattan- kulam Road, Madhavaram, Madras- 600060.	Chemical resistant mortars, Type/ Grade Size : Silicate resin sulphur types cement plodor SWK phenacin 'A' & purachin - IS : 4832 (Pt I & II)—1969 and IS : 4832 (Pt III)—1968
74.	CM/L-6706 1978-01-27	78-02-01	79-01-31	Fresco Knitwears, 88 F-15C, Kamraj Road Tirupur-638604	Plain knitted cotton vests type RN & RNS, size 70 to 90 cm gauge 26— IS : 4964(Pt II)—1975
75.	CM/L-6707 1978-01-27	78-02-01	79-01-31	Swaran Electricals, 14, Subharama Chetty Road, Basvanguadi, Bangalore-560004	Electric immersion water heater upto 2 KW— IS : 368—1977
76.	CM/L-6708 1978-02-27	78-02-01	79-01-31	Perlite Wire Products Ltd., Alleppy, Puthi- Rappally, Alleppy, (Office : XXXV/360 I, M.G. Road, P. B. No. 1749, Cochin- 682016	Steel wire ropes for haulage purposes— IS : 1856—1970
77.	C/L-6709 1978-01-27	78-02-01	79-01-31	Mahavir Industries, A-34, Lagna Udyog Kendra, Building No. 3, I.B. Patel Road, Goregaon (East), Bombay-400063	Wrought aluminium dezchi, medium class, 19000 grade— IS : 1660—1967
78.	CM/L-6710 1978-01-27	78-02-01	79-01-31	Kinjal Electricals Pvt. Ltd., P.O. Chikam- berpur, G.T. Road, Ghaziabad.	Switches for domestic and similar purposes 2, AMP 250 volts— IS : 3354—1965
79.	CM/L-6711 1978-01-27	78-02-01	79-01-31	Kinjal Electricals Pvt. Ltd., Oxygen House, G.T. Road, Giani Bolder, Ghaziabad (U.P.)	Heavy duty air-break switches, composit units of air break fuses 16 Amp 240 V, IS : 4047—1967

(1)	(2)	(3)	(4)	(5)	(6)
80. CM/L-6712 1978-01-27	78-02-01	79-01-31	Arpee Enterprises, 37, New Market, West Patel Nagar, New Delhi-110008.	Electric irons, non-automatic, 450W— IS : 366—1965	
81. CM/L-6713 1978-01-27	78-02-01	79-01-31	Calcutta Wafer Products, 1, Karim Bux Row, Calcutta-700002	Micaroni, spaghetti and vermicelli IS : 1485—1976	
82. CM/L-6714 1978-01-27	78-02-01	79-01-31	Postchem Co., MIDC Shed No. 26, Chemical Zone, Ambernath (Distt. Thana).	DDT 25% EC— IS : 633—1975	
83. CM/L-6715 1978-01-27	78-02-01	79-01-31	SMP Pvt. Ltd., Subhas Nagar, Subhas Road, Jogeshwari, Bombay-400060.	BHC EC— IS : 632—1972	
84. CM/L-6716 1978-01-27	78-02-01	79-01-31	Kaira District Co-operative Milk Producers Union Ltd. Anand (Gujarat)	Processed cheese— IS : 2785—1964	
85. CM/L-6717 1978-01-27	78-02-01	79-01-31	Kay-Tea Industries Pvt. Ltd., 19/C, Harish Neogi Road, Calcutta-700057 (Office : 34-1 New Road, Calcutta-700027)	Tea-chest plywood panels— IS : 10 (Pt II)—1975	
86. CM/L-6718 1978-01-27	78-02-01	79-01-31	Pankaj Iron & Steel Works Pvt. Ltd., 613, T.H. Road, Turuvottiyur, Madras-600019	Bituminous paint—Type B— IS : 3575—1971	
87. CM/L-6719 1978-01-27	78-02-01	79-01-31	The Indian Cable Co. Ltd., 9, Hare Street, Calcutta-700001.	Paper insulated cables for use in mines— IS : 1027—1963	
88. CM/L-6720 1978-01-31	78-02-01	79-01-31	The Tudialur Co-operative Agricultural Service Ltd., Metturalayam Road, Tudialur, Coimbatore-641034	Endosulfan EC— IS : 4323—1967	
89. CM/L-6721 1978-01-31	78-02-01	79-01-31	Orient Steel & Industries Ltd., Vill. Chitra 31 K.M. Point (From Calcutta) of N.H. No. 2 By Pass Serampore, Distt. Hooghly (W.B.)	Carbon steel cast billet ingots for re-rolling into structural steel (standard quality)— IS : 6914—1973	
90. CM/L-6722 1978-01-31	78-02-01	79-01-31	-do-	Carbon steel cast billet ingots for re-rolling into structural steel (ordinary quality)— IS : 6915—1973	
91. CM/L-6723 1978-01-31	78-02-16	79-02-15	Ajanta Electric Industries, 9/110, Vishwas Nagar, Shalidara, Delhi-32.	PVC insulated cables, aluminium conductors 250/440 volts— IS : 694 (Pt II)—1964	
92. CM/L-6724 1978-01-31	78-09-01	79-04-30	Kirloskar Kisan Equipment Ltd., Kothrud, Pune-411029	Small size spark ignition engines Type/Grade/Size : KP-35 (1.3 BHP, 6000 rpm capacity, 3500 SFC at rated output 530 gm/KW/hr— IS : 7347—1974	
93. CM/L-6725 1978-01-31	78-02-01	79-01-31	Bir Engineering Works (Regd), G.T. Road, (By Pass), Jullundur-4	C.I. Sluice valves for water works purposes, size 50 & 200 mm, Class I— IS : 780—1969	
94. CM/L-6726 1978-01-31	78-02-16	79-02-15	Artee Minerals, (Pesticides Division), 15/7, Mathura Road, Faridabad (Haryana).	Stabilized methoxy ethyl mercury chlo ride concentrate— IS : 2358—1963	
95. CM/L-6727 1978-01-31	78-02-16	79-02-15	Volrho Limited, Patancheru, Medak Distt., Andhra Pradesh (Office : 87/D, Rashtrapathi Road, Secunderabad-500003 (A.P.)	Phosalone DP, 14%— IS : 3493—1977	
96. CM/L-6728 1978-01-31	78-02-16	79-02-15	-do-	Phosalone EC 35%— IS : 8437—1977	
97. CM/L-6729 1978-01-31	78-02-16	79-02-15	Navin Wire Products Pvt. Ltd., Sultanpur Road, Kapurthala (Pb.)	M.S. wires upto 10 mm dia finish galvanized (electrolytic hot dipped) condition soft coating, light— IS : 280—1972	
98. CM/L-6730 1978-01-31	78-02-16	79-02-15	Ganesh Electricals, Kalmandyam, Palghat-678007 (Kerala)	HRC fuse links Type/Grade/Size : HRC fuse links 01 415 V, Class 3 body size G at A & H ratings upto and including 250 Amps— IS : 2208—1962	
99. CM/L-6731 1978-01-31	78-02-16	79-02-15	International Agency (India) 25, N. G. Saha Road, Bchala, Calcutta-61 (Office : 6/3, Madan Street, Calcutta-13)	Endosulfan EC 35%— IS : 4323—1967	

(1)	(2)	(3)	(4)	(5)	(6)
100. CM/L-6732 1978-01-31	78-02-01	79-01-31	Aluminium Udveg, Khamrai, Bilaspur Road, Sadar Bazar, Raipur (M.P.)	Wrought aluminium and aluminium alloy for utensils Grade 19000—0 19500—0 IS : 21—1975	aluminium
101. CM/L-6733 1978-01-31	78-02-16	79-02-15	Goel Steel Industries, 57, Malipanchghora Steel, Lilluah, Howrah	Structural steel (standard quality)—IS : 226—1975	
102. CM/L-6734 1978-01-31	78-02-01	79-01-31	Bharat Industrial Corpn., Jhalukbari, Gauhati-14 (Assam) (Office : B.R. Phookan Road, Bharalumukh, P.O. Gauhati (Assam).	Paraffin wax—IS : 4654—1974	

[No. CM/13 : 11]

A. P. BANERJI, Adl. Director General

पेट्रोलियम, रसायन और उर्वरक मंत्रालय**(पेट्रोलियम विभाग)**

नई दिल्ली, 8 मई, 1981

क्रा० आ० 1616.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन० के० बी० एम० से रेलवे कामीग तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यत यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आणय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सूतवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एन० के० बी० एम० से रेलवे कामीग तक

राज्य: गुजरात	जिला: अहमदाबाद	तासुका: विरमगाम	गांव	सर्वे न०	हेक्टेयर	ए.आर.ई.	सेन्टीपर
			भटारिया	30	0	09	24
				34	0	04	56
				31	0	08	04
				33	0	08	88

[सं० 12016/12/81- प्रो० I]

MINISTRY OF PETROLEUM, CHEMICALS & FERTILIZER**(Department of Petroleum)**

New Delhi, the 8th May, 1981

S.O. 1616.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from NKBM to Railway Crossing in Gujarat State Pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra (390 009).

And every person making such an objection shall also state specially whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE**Acquisition of R.O.U. for NKBM to Rly Crossing**

State : Gujarat District : Ahmedabad Tulika Viramgam

Village	Survey No.	Hectare	Are	Centiare
Bhataria	30	0	09	24
	34	0	04	56
	31	0	08	04
	33	0	08	88

[No.12016/12/81-Prod-I]

क्रा० आ० 1617.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन० एन० एन० से जी० जी० एन० संथाल-1 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित (भूमि में उपयोग का अधिकार अर्जित) करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आणय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा धारण करने वाला हर व्यक्ति निम्नलिखित बातों का ध्यान करेगा कि क्या वह यह चाहता है कि उसका भूखंड व्यक्तिगत हूँ या निर्मा विधि व्यवसाय को सफल।

अनुसूची

रा. नं० एन० एन० एन० मे जी० जी० एच० संवाच-1 तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	विधा और तालुका :	मेहसाणा		
गांव	सर्वे नं०	हेक्टेयर	ए. आर. ई.	मेन्ट्रिअर
सन्थाल	630	0	15	45
	631	0	06	50
	635	0	02	75

[सं० 12016/12/81 प्रो० II]

S.O. 1617.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNN to GGS Santhal 1 in Gujarat State petroleum from SNN to GGR Santhal-1 in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the scheduled annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390 009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Acquisition of R.O.U. For Well No. SNN to GGS Santhal-1

State : Gujarat	District and Taluuka :	Mehsana		
Village	Survey No	Hectare	Ac	Contiare
Santhal	630	0	15	45
	631	0	06	50
	635	0	02	75

[No. 12016 12/81-Prod II]

ऊर्जा मंत्रालय

(विद्युत विभाग)

नई दिल्ली, 12 मई, 1981

का० आ० 1618 ---सरकारी स्थान (अप्राधिकृत अधिकारियों की देखरेख) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एन.ए.ए. नीचे की तालिका के कालम (2) में उल्लिखित अधिकारियों को, राष्ट्रीय ताप विद्युत निगम लि०, एक निगमित निष्काय के अधिकारी होने के कारण, तथा भारत सरकार के राजपत्रित अधिकारियों के रूप के समकक्ष अधिकारी होने के कारण उपरोक्त अधिनियम के प्रयोजनों के लिए समकक्ष अधिकारी होने के लिये नियुक्त करती है। ये अधिकारी उक्त तालिका के कालम (3) में संवर्धित प्रविष्टि में निर्दिष्ट सरकारी स्थानों के संबंध में, अपने-अपने क्षेत्राधिकार की स्थानीय सीमाओं के अन्दर, उपर्युक्त अधिनियम के द्वारा अथवा उसके अन्तर्गत संपदा अधिकारियों को प्रदत्त की

गई शक्तियों का उपयोग करेगी तथा उनको भी गण कार्यव्यो का पालन करेगी।

सारणी

क्रम अधिकारियों का पदनाम सरकारी स्थानों की श्रेणिया तथा सं० क्षेत्राधिकार की स्थानीय सीमाएं

1	2	3
1. श्री आ० पी० गुप्ता, विधि-अधिकारी	शक्तिनगर, जिला मिर्जापुर (उत्तर प्रदेश)	में राष्ट्रीय ताप विद्युत निगम की गिरावट। सार ताप विद्युत परियोजना के स्वामित्व को/के द्वारा पट्टे पर ली गई अथवा क्रिये पर ली गई सभी भूमिया, क्वार्टरों सम्पदा सम्पत्तिया और अन्य आवाग।
2. श्री टी० सो० श्री निवासा, वरिष्ठ प्रशासनिक अधिकारी	कोरबा, जिला बिलासपुर (मध्य प्रदेश)	में राष्ट्रीय ताप विद्युत निगम लिमिटेड, की कोरबा मूल ताप विद्युत परियोजना के स्वामित्व की, के द्वारा पट्टे पर ली गई अथवा क्रिये पर ली गई सभी भूमियां, क्वार्टरों सम्पदा सम्पत्तिया और अन्य आवाग।

[का० सं० 5(5)/81-ए० एच० सं० 5]

सुधाकर राव, चरम गवित

MINISTRY OF ENERGY

(Department of Power)

New Delhi, the 12th May, 1981

S.O. 1618—In exercise of the power conferred by section 3 of the public premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officers mentioned in column (2) of the Table below, being officers of the National Thermal Power Corporation Ltd. a corporate authority, and being officers equivalent to the rank of gazetted officers of the Government of India to be estate officers for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on estate officers by or under the said Act within the local limits of their respective jurisdiction, in respect of the public premises specified in the corresponding entry in column (3) of the said Table.

TABLE

S. No.	Designation of officers	Categories of Public premises and local limits of jurisdiction
1	2	3
1. Shri O.P. Gupta Law Officer		All lands, quarters, estate, properties and other accommodation owned leased or rented by the Singrauli Thermal Power Project of the National Thermal Power Corporation Ltd. in Shakti Nagar, Distt. Mirzapur (UP).
2. Shri T. C. Sanivas Sr. Administrative Officer		All lands, quarters, estate, properties and other accommodation owned, leased or rented by the Korba Super Thermal Power Project of NTPC Ltd. in Korba, Distt. Bilaspur (M.P.)

[File No. 5(5)/81-US D VII]

SUDHAKAR RAO, Under Secy

(कोयला विभाग)

सुद्धिपत्र

नई दिल्ली, 21 अप्रैल, 1981

क्रा० भा० 1619.—भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii) तारीख 13 जनवरी, 1981 के पृष्ठ 49-51 में प्रकाशित अधिसूचना क्रा० भा० सं० 22(अ), तारीख 9 जनवरी, 81 में,—

- (1) पृष्ठ 50-I अनुसूची के नीचे "ईबन्दी कोलफील्ड (उड़ीसा)" के स्थान पर "ई नदी कोलफील्ड (उड़ीसा)" पढ़ें।
- (II) "ग्राम जरबागा में अजित किए गए प्लाटों की संख्या" शीर्षक "810 से 867" के स्थान पर "810 से 868" पढ़ें। के नीचे पंक्ति 3 में।
- (2) पृष्ठ 51-I 'ग्राम उजा में अजित किए गए प्लाटों की संख्या' शीर्षक के नीचे—
- (i) पंक्ति 1— "172 भाग, 183 भाग" के स्थान पर "172 भाग, 173 भाग" पढ़ें।
- (ii) पंक्ति 3— "329 भाग" के स्थान पर "328 भाग" पढ़ें।
- (III) "सीमा वर्णन" शीर्षक के नीचे "436" के स्थान पर 435" पढ़ें
- (i) उपशीर्षक "क-ख" के सामने
- (ii) उपशीर्षक "ड-घ" के सामने पंक्ति 2 में— "953, 322, 339" के स्थान पर "322, 323, 953, 339" पढ़ें।
- (iii) उपशीर्षक "च-क" के सामने पंक्ति 4 में— "295, 108" के स्थान पर "295, 133, 108" पढ़ें।
- [सं० 19(73)/77-सी० एल०]
- स्वर्ण सिंह, प्रवर सचिव

(Department of Coal)

CORRIGENDUM

New Delhi, the 21st April, 1981

S.O. 1619.—In the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 22(E) dated the 9th January, 1981, published at pages 49 to 53 of the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) dated the 13th January, 1981:

at page 52 In the Schedule:—

- (i) against village Jamkanni, below the column Revenue Land, for "67.75" read "69.75".
- (ii) against village Banjhipali below the column Total, for "72.90" read "92.90".
- (iii) against village Chharla, below the column Total, for "552.72" read "522.72".

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(iv) against village Darlipalli, below the column Total, for "764.36" read "674.36".

at page 53

- (i) under the heading plot numbers acquired in village Jarabaga, for "882, 899P" read "882 to 899" and for "962 to 977, 977" read "962 to 977, 979".
- (ii) Under the heading plot numbers acquired in village Khairkuni, for "598P" read "498P".
- (iii) Under the heading plot numbers acquired in village Ubra, for "185P" read "185".
- (iv) Under the heading plot numbers acquired in village Chharla, for "436" read "436P".

[No. 19(73)/77-CL]

SWARAN SINGH, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 14 मई, 1981

क्रा० भा० 1620.—यतः भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 26 जुलाई, 1962 की अधिसूचना संख्या एक०-1611/62-एम० आई० द्वारा केन्द्रीय सरकार ने निवेश दिया है कि भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजनों के लिए "एम० डी०" (मनीटोबा विश्वविद्यालय) कनाडा द्वारा प्रवर्तित चिकित्सा प्रवृत्ता मान्य चिकित्सा प्रवृत्ता होगी ;

और यतः डा० गेराल्ड शेल्डन ब्रांस्टीन जिनके पास उक्त प्रवृत्ता है धर्मार्थ कार्य के प्रयोजनों के लिए क्लिनिकल रजनीश अन्तर्राष्ट्रीय विश्वविद्यालय, पूना, महाराष्ट्र के साथ सम्बद्ध हैं ;

अतः अब, उक्त अधिनियम की धारा 14 की उप धारा (1) के परामर्श के भाग (ग) का पालन करते हुए केन्द्रीय सरकार एतद्वारा—

(1) दो वर्ष की अवधि

अथवा

(2) उक्त अवधि को अब तक डा० गेराल्ड शेल्डन ब्रांस्टीन रजनीश अन्तर्राष्ट्रीय विश्वविद्यालय, पूना, महाराष्ट्र के साथ सम्बद्ध रहते हैं, जो भी कम हो वह अवधि निर्दिष्ट करती है, जिसमें पूर्वोक्त डाक्टर मेडिकल प्रैक्टिस कर सकेंगे।

[संख्या बी० 11018/2/81-एम० ई० (नौति)]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

ORDER

New Delhi, the 14th May, 1981

S.O. 1620.—Whereas by the notification of the Government of India in the late Ministry of Health No. F. 16-11/62-MI dated the 26th July, 1962 the Central Government has directed that the medical qualification, "M.D. (University of Manitoba) Canada shall be recognised medical qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956);

And whereas, Dr. Gerald Sheldon Bronstem, who possesses the said qualification is for the time-being attached to the Rajnesh International University, Poona, Maharashtra for the purpose of charitable work.

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

(i) a period of two years, or

(ii) the period during which Dr. Gerald Sheldon Bronstein is attached to the said Rajnesh International University, Poona, Maharashtra.

whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. V. 11016/2/81-ME(Policy)]

का० आ० 1621.—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के अनुसरण में नागपुर विश्वविद्यालय ने डा० एम० एम० राठी को 23 मार्च, 1981 से भारतीय आयुर्विज्ञान परिषद् का सदस्य मनोनीत किया है।

अतः अब उक्त अधिनियम की धारा (3) की उप-धारा (1) के उपबन्धों का पालन करते हुए केन्द्रीय सरकार एतद्वारा भूतपूर्व स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59 एम० में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन मनोनीत" शीर्ष के अन्तर्गत क्रम संख्या 16 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टि रखी जाएगी, अर्थात् :—

"16. डा० एम० एम० राठी,
मोहर,
कान्हेन्ट, कचेरी रोड, कैम्प के सामने
अमरावती,
अमरावती"

[संख्या बी० 11013/21/80-एम० ई० (नीति)]

S.O. 1621.—Whereas in pursuance of the provision of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. M. M. Rathi has been elected by the Nagpur University to be a member of the Medical Council of India with effect from the 23-3-1981.

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the late Ministry of Health No. 5-13/59-MI, dated the 9th January 1960, namely:—

In the said notification, under the heading "Elected under clause (b) of sub-section (1) of section 3" for serial number 16 and entries relating thereto the following serial number and entries shall be submitted, namely:—

"16. Dr. M. M. Rathi,
Mohar,
infront of Convent, Kacheri Road, Camp;
Amaravati, AMARVATI."

[No. V. 11013/21/80-ME(Policy)]

का० आ० 1622.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) के उपबन्धों द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारतीय आयुर्विज्ञान परिषद् से परामर्श करने हुए, केन्द्रीय सरकार एतद्वारा पहली अनुसूची में निम्नलिखित और संशोधन करती है :—

- (1) मगध विश्वविद्यालय से संबंधित प्रविष्टियों में "पंजीकरण के लिए संक्षेपण" कालम की प्रविष्टि में "30 अप्रैल, 1980" शब्दों, शब्दों और अक्षरों के स्थान पर "30 अप्रैल, 1981" शब्द और अक्षर रखे जाएंगे।
- (2) उत्तरी बंगाल विश्वविद्यालय से संबंधित प्रविष्टियों में "पंजीकरण के लिए संक्षेपण" कालम की प्रविष्टि में "30 अप्रैल, 1980" शब्दों, शब्दों और अक्षरों के स्थान पर "30 अप्रैल, 1981" शब्द और अक्षर रखे जाएंगे।

[संख्या बी० 11015/7/80-एम० ई० (नीति)]

S.O. —In exercise of the powers conferred by sub-section (2) of section 11 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule:—

- (1) In the entries relating to Magadh University, in the entry in the column "Abbreviation for registration" for the figures, letter and words, "30th April, 1980" the figures letters and words "30th April, 1981" shall be substituted ;
- (2) In the entries relating to North Bengal University, in the entry in the column Abbreviation for registration, for the figures, letters and words "30th April, 1980" the figures, letters and words 30th April, 1981 shall be substituted.

[No. V. 11015/7/80-ME(Policy)]

नई दिल्ली, 19 मई, 1981

का० आ० 1623.—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 की धारा 20 की उप-धारा (1), (2) और (3) तथा भारतीय चिकित्सा परिषद् (स्नातकोत्तर चिकित्सा शिक्षा समिति) नियम 1961 के नियम 4 के अनुसरण में केन्द्रीय सरकार ने डा० आई० डी० बजाज को डा० बी० शंकरन के स्थान पर 18 फरवरी, 1981 से स्नातकोत्तर चिकित्सा शिक्षा समिति का सदस्य मनोनीत किया है।

अतः अब उक्त अधिनियम की उप-धारा (1), (2) और (3) के उपबन्धों का पालन करते हुए केन्द्रीय सरकार एतद्वारा स्वास्थ्य मंत्रालय भारत सरकार की पहली अप्रैल, 1980 की अधिसूचना संख्या बी० 11019/1/80-एम० ई० (नीति) में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "केन्द्रीय सरकार द्वारा मनोनीत" शीर्ष के अन्तर्गत मंत्र 4 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित रखा जाए अर्थात् :—

"4. डा० आई० डी० बजाज,
स्वास्थ्य सेवा महानिदेशक,
नई दिल्ली।"

[संख्या बी० 11019/1/81-एम० ई० (नीति)]

के० एल० भट्टिया, अवर सचिव

New Delhi, the 19th May, 1981

S.O. 1623.—Whereas the Central Government have in pursuance of the sub-section (1), (2) and (3) of section 20 of the Indian Medical Council Act, 1956 and sub-rule (2) of rule 4 of the Indian Medical Council (Post-graduate Medical Education Committee) Rules, 1981, nominated Dr. I. D. Bajaj vice Dr. B. Sankaran, as member of the the Post-graduate Medical Education Committee with effect from the 18th February 1981.

Now, therefore, in pursuance of the provision of sub-sections (1), (2) and (3) of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India, Ministry of Health No. V. 11019/1/80-ME(Policy) dated the 1st April, 1980, namely :—

In the said notification, under the heading, "nominated by the Central Government" for item 4 and the entry relating thereto the following shall be substituted namely:—

"4. Dr. I. D. Bajaj,
Director General of Health Services,
NEW DELHI."

[No. V. 11019/1/80-ME(Policy)]

K. L. BHATIA, Under Secy.

इस्पात और खान मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 24 अप्रैल, 1981

क्रा० आ० 1624.—केन्द्रीय सरकार, राजभाषा (संघ के भाषाकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में मैंगनीज और (इंडिया) लिमिटेड, नागपुर को, जिसके कर्मचारी धूम्र ने हिन्दी का कार्यमाध्यम ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[संख्या ई०-11011/2/80-हिन्दी]

एम० एम० हुसैन, अवर सचिव

MINISTRY OF STEEL AND MINES

(Department of Steel)

New Delhi, the 24th April, 1981

S.O. 1624.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies Manganese Ore (India) Ltd., Nagpur the staff whereof have acquired the working knowledge of Hindi.

[No. 11011/2/80-Hindi]

M. M. HUSSAIN, Under Secy.

सूचना और प्रसारण मंत्रालय

आदेश

नई दिल्ली, 11 मई, 1981

क्रा० आ० 1625.—फिल्म सलाहकार बोर्ड के कार्यकरण से सम्बन्धित विनियमों के नियम 14(ख) के उपबन्धों के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इसके साथ लगी अनुसूची के कालम 2 में दी गई फिल्मों को उनके सभी भारतीय भाषाओं के स्वरूपों सहित, जिनका विवरण प्रत्येक के सामने उक्त अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है:—

अनुसूची

क्रम सं०	फिल्म का नाम	फिल्म की सम्बाई (मीटरों में)	आवेदक/निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डॉकुमेंट्री फिल्म है।
1	2	3	4	5
1.	भारतीय समाचार समीक्षा सं० 1697	260-00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई	समाचार और सामयिक घटनाओं की फिल्म सामान्य प्रदर्शन के लिए।
2.	भारतीय समाचार समीक्षा सं० 1698	300-00	तयैव	तयैव

[फाइल संख्या 315/5/81-एफ.पी.]

कश्मीरी लाल, डेस्क अधिकारी

MINISTRY OF INFORMATION & BROADCASTING

ORDER

New Delhi, the 11th May, 1981

S.O. 1625.—In exercise of the powers vested under the provisions of Rule 14(b) of the Regulations relating to the Working of the film advisory Board, the Central Government hereby approves films specified in column 2 of the Schedule annexed hereto in all its/their languages versions to be of the description specified against it/each in column 6 of the said Schedule.

SCHEDULE

Sl. No.	Title of the film	Length of the film in mtrs	Name of the applicant/producer	Brief synopsis scientific film or for educational purposes of a film dealing with news current event documentary film.
1.	Indian News Review No. 1697	260.00 mtrs.	The Films Division, 24-pedar Road, Bombay.	News & Current event. General Release.
2.	Indian News Review No. 1698	300.00 mtrs.	—do—	—do—

[File No. 315/5/81-FP]

KASHMIRI LAL, Desk Officer

पुनर्वास और पुनर्वास मंत्रालय

(पुनर्वास विभाग)

नई दिल्ली, 6 मई, 1981

क्रा० आ० 1626.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास अधिनियम) 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा हरियाणा सरकार, पुनर्वास विभाग के अधिकारी श्री जी० पी० कुमल को हरियाणा राज्य में स्थिति मुआवजा पूल की सम्पत्तियों तथा भूमि के संबंध में उक्त अधिनियम द्वारा अथवा उसके अधीन प्रबन्ध अधिकारी को सौंपे गए कार्यों का निष्पादन करने के लिए प्रबन्ध अधिकारी के रूप में नियुक्त करती है।

[संख्या-1(14)/वि० से०/75-एस० एस०-II]

एम० एम० वाघवानी, अवर सचिव

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

New Delhi, the 6th May, 1981

S.O. 1626.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri G. P. Duggal, an Officer of the Rehabilitation Department, Government of Haryana, as Managing Officer for the purpose of performing the functions assigned to a Managing Officer by or under the said Act, in

respect of the Lands and properties forming part of the Compensation Pool within the State of Haryana.

[No. 1(14)/Spl. Cell/75-SS. II]

N. M. WADHWANI, Under Secy.

संचार मंत्रालय

(डाक तार बोर्ड)

नई दिल्ली, 20 मई, 1981

क्र० प्र० 1627 —स्वायी प्रादेश संख्या 827, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने ओमलूर, करमदाई नेगमम टेलीफोन क्षेत्र में दिनांक 1-6-81 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-4/81-पी० एच० बी०]

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 20th May, 1981

S.O. 1627.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 1-6-1981 as the date on which the Measured Rate System will be introduced in Omalur, Karamadai & Negamam Telephone Exchange, Tamil Nadu Circle.

[No. 5-4/81-PHB]

क्र० प्र० 1628 —स्वायी प्रादेश संख्या 827, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951, के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने थिरुमंगलम टेलीफोन क्षेत्र में दिनांक 1-6-81 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-4/81 पी० एच० बी०]

भार० सी० कटारिया, सहायक महानिदेशक
(पी० एच० बी०)

S.O. 1628.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 1-6-1981 as the date on which the Measured Rate System will be introduced in Thirumangalam Telephone Exchange, Tamil Nadu Circle.

[No. 5-4/81-PHB]

R. C. KATARIA, Assistant Director General (PHB)

असम मंत्रालय

नई दिल्ली, 13 मार्च, 1981

वापस

क्र० प्र० 1629.—इससे उपाययज्ञ अनुसूची में विनिर्दिष्ट औद्योगिक विवाद श्री भार० सी० इसरानी, पीठासीन अधिकारी, औद्योगिक अधिकरण प्रहमवा-बाव के समक्ष संवित है ;

और श्री भार० सी० इसरानी की सेवाएं अब उपलब्ध नहीं रही हैं ;

अतः, अब, केन्द्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33क की उपधारा (1) के साथ पठित धारा 7क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जी० एल० बरोत होंगे, जिसका मुख्यालय प्रहमवाबाव में होगा, और उक्त श्री भार० सी० इसरानी

पीठासीन अधिकारी औद्योगिक अधिकरण, प्रहमवाबाव के समक्ष लवित उक्त विवाद से संबन्ध कार्यवाही को वापस लेती है और उसे श्री जी० एल० बरोत, पीठासीन अधिकारी, औद्योगिक अधिकरण, प्रहमवाबाव को इस निदेश के साथ स्थानांतरित करती है कि उक्त अधिकरण उक्त विवाद पर उस प्रक्रम से आगे कार्यवाही करेगा, जिस पर वह उसे स्थानांतरित की जाती है तथा विधि के अनुसार उनका निपटान करेगा।

अनुसूची

क्रम संख्या	निदेश प्रादेश संख्या	आदेश तारीख	विषय
1	2	3	4
1.	10/80 एल०-12012/169/बी०-2(ए)	तारीख 10-10-1980	सेवा समाप्ति के बारे में भारतीय स्टेट बैंक, एल० एच० प्रो० प्रहमवाबाव और श्री जे० ए० शाहू लिमिटेड के बीच।
2.	11/80 एल०-12011/8/80-बी०-2(ए)	तारीख 10-10-1980	बैकल तेल घंटे की मजदूरी काटने के अलावा पूरी प्लि की मजदूरी काटने के बारे में बढ़िया बैंक, बढ़िया और उनके कार्यवाहों के बीच।
3.	12/80 एल०-17012/24/79-बी०-4(ए)	तारीख 24-10-80	दक्षता रोड के बारे में भारतीय जीवन बीमा निगम, प्रहमवा-बाव और श्री एन० एम० मोदी के बीच।
4.	13/80 एल०-12012/210/79-बी०-2(ए०)	तारीख 3-10-1980	सेवान्युक्ति के बारे में बैंक ऑफ इंडिया, प्रहमवाबाव और श्री टी० डी० धोलाकिया, चंपरास के बीच।
5.	14/80 एल०-12012/174/79-बी०-2(ए०)	तारीख 15-11-80	सेवा समाप्ति के बारे में सेक्टर बैंक आफ इंडिया, प्रादेशिक कार्यालय, प्रहमवाबाव और श्री गोपाल सिंह बरकार सिंह चौकीदार के बीच।
6.	15/80 एल०-12012/211/79-बी०-2(ए०)	तारीख 20-11-80	सेवा समाप्ति के बारे में स्टेट बैंक ऑफ सौराष्ट्र, भावनगर और श्री कालोला के बीच।
7.	16/80 एल०-12012/199/79-बी०-2(ए०)	तारीख 26-12-80	सेवा समाप्ति के बारे में सेवा बैंक प्रहमवाबाव और श्री भार० के साहा के बीच।
8.	17/80 एल०-17012/9/80-बी०-2(ए०)	तारीख 19-12-80	बेतन वृद्धि के बारे में भारतीय जीवन बीमा निगम, सूरत और श्री जी० ए० मोसा, के बीच।
9.	18/80 एल०-12012/171/79-बी०-2(ए०)	तारीख 19-12-80	पदोन्नति के बारे में भारतीय स्टेट बैंक, भद्रा, प्रहमवाबाव और श्री टी० जे० पुरोहित के बीच।

[सं० एल०-11025/5/80-बी०-4 (बी०)]

MINISTRY OF LABOUR ORDER

New Delhi, the 13th March, 1981

S.O. 1629.—Whereas the industrial disputes specified in the schedule hereto annexed are pending before Shri R. C. Israni, the Presiding Officer, Industrial Tribunal, Ahmedabad,

And Whereas the service of Shri R. C. Israni are no longer available.

Now, Therefore, in exercise of the powers conferred by section 7A read with sub-section (1) of the section 33-B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal the Presiding Officer of which shall be Shri G. S. Barot with headquarters at Ahmedabad and withdraws the proceedings in relation to the said disputes pending before the said Shri R.C. Israni, Presiding Officer, Industrial Tribunal, Ahmedabad and transfers the same to Shri G. S. Barot, Presiding Officer Industrial Tribunal, Ahmedabad with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to Law.

THE SCHEDULE

Sl. No.	Ref No.	Number and date of the order	Subject
1	2	3	4
1. 10/80	L-12012/169/79-D. II.A. dated 10-10-80	State Bank of India, L.H. O., Ahmedabad and Shri J. A. Shah, Clerk over termination of services.	
2. 11/80	L-12011/8/80-D.II. A. dated 10-10-80	Bank of Baroda, Baroda and their workmen over deducting full day wage instead of deducting wages for only three hours.	
3. 12/80	L-17012/24/79-D. IV.A.dated 24-10-80	L.I.C. of India, Ahmedabad and Shri N.M. Mody, over efficiency bar.	
4. 13/80	L-12012/210/79-D. II.A. dated 3-10-80.	Bank of India, Ahmedabad and Shri T.D. Dholakia, Peon over discharge.	
5. 14/80	L-12012/174/79-D. II.A. dated 15-11-80.	Central Bank of India, R. O. Ahmedabad and Shri Gopal Singh Darbarsingh, Watchman over termination of services.	
6. 15/80	L-12012/211/79-D. II.A. dated 20-11-80.	State Bank of Saurashtra Bhavnagar and Shri Kalotra over termination of Services.	
7. 16/80	L-12012/199/79-D. II.A. dated 26-12-80	Dena Bank Ahmedabad and Shri R. K. Shah over termination of services.	
8. 17/80	L-17012/9/80-D.IV. A. dated 19-12-80.	L.I.C. of India, Surat and Shri V. A. Oza, over increment.	
9. 18/80	L-12012/171/79-D. II.A.	Sate Bank of India, Bhadra, Ahmedabad and Shri T. J. Purohit over promotion.	

[No. S-11025(5)/80-D.IV(B)]

आदेश

नई दिल्ली, 28 मार्च, 1981

क्रां.सं. 1630.—इससे उपाख्य अनुसूची में विनिर्दिष्ट औद्योगिक विवाद श्री डब्लू. के. प्रलमेसकर, पीठासीन अधिकारी, औद्योगिक अधिकरण, नागपुर के समक्ष संबंधित हैं ;

और श्री डब्लू. के. प्रलमेसकर की सेवाएं अब उपलब्ध नहीं रहती हैं ;

अतः, अब, केन्द्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33B की उपधारा (1) के साथ पठित धारा 7A द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी एं. डब्लू. पेंधरकर होंगे, जिनका मुख्यालय नागपुर में होगा और उक्त श्री डब्लू. के. प्रलमेसकर, पीठासीन अधिकारी, औद्योगिक अधिकरण, नागपुर के समक्ष संबंधित उक्त विवाद से संबंध कार्यवाही को वापस लेती है और उसे श्री एं. डब्लू. पेंधरकर, पीठासीन अधिकारी, औद्योगिक अधिकरण, नागपुर को इस निर्देश के साथ स्थानांतरित करती है कि उक्त अधिकरण उक्त विवाद पर उस प्रक्रम से आगे कार्यवाही करेगा, जिसपर वह उसे स्थानांतरित की जाती है तथा विधि के अनुसार उसका निपटारा करेगा ।

अनुसूची

क्रम संख्या	औद्योगिक विवाद संख्या	आदेश संख्या और तारीख	पक्षकारों के नाम
1	2	3	4
...	संख्या 1/64/68-एल० प्रार० II तारीख 6 जून, 1969		मैसर्स बल्लारपुर कोलियरी क० बल्ला डाकघर मानिकपुर की गुगुस कोलियरी प्रबंधमंडल और उसके कर्मकार ।
2	संख्या 1/10/68-एल० प्रार० II तारीख 15 सितम्बर, 1969		मैसर्स रायतवारी कोलियरी, काप्पा 4 प्रम्य तथा उनके कर्मकार ।
3	औद्योगिक विवाद अधिनियम की धारा 33(2) (ख) के अधीन प्रावधान		काप्पाटी कोलियरी, बलाम श्री प्रमर सिंह
4	औद्योगिक विवाद अधिनियम की धारा 33(2) के अधीन प्रावधान		काप्पाटी कोलियरी, बलाम श्री महमूद अलावि
5	संख्या 1/63/68-एल० प्रार० II तारीख 3 अक्टूबर, 1969		रायतवारी कोलियरी, काप्पा का प्रबंधमंडल और उसके कर्मकार ।
6	संख्या 1/10/68-एल० प्रार० II तारीख 23 अक्टूबर, 1969		काप्पाटी कोलियरी, काप्पाटी का प्रबंधमंडल और उसके कर्मकार ।
7	संख्या 3/7/69-एल० प्रार० II तारीख 4 नवम्बर, 1969		मैसर्स बल्लारपुर कोलियरी काप्पाटी लिमिटेड, बल्लार- पुर और उनके कर्मकार
8	संख्या 8/60/70-एल० प्रार०-II तारीख 29 अप्रैल, 1970		गुगुस कोलियरी का प्रबंध- मंडल और उनके कर्मकार

NOTIFICATION

New Delhi, the 15th May, 1981

S.O. 1631.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of Sangramgarh Colliery of M/s. E.C.I.O. P.O. Samdi, District Burdwan, and their workmen, which was received by the Central Government on the 12th May, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 9 of 1980

PARTIES :

Employers in relation to the management of Sangramgarh Colliery of M/s. Eastern Coalfields Ltd., P.O. Samdi, District Burdwan.

AND

Their Workmen

PRESENT :

Mr. Justice B. K. Ray (Retd.), Presiding Officer.

APPEARANCES :

For the Employers—Shri T. P. Choudhury, Advocate.

For the Workmen—Shri M. L. Mukherjee, Authorised representative of the Union.

STATE : West Bengal.

INDUSTRY : Coal.

Dhanbad, the 6th May, 1981

AWARD

By Order No. L-19012(66)/79-D.IV(B) dated the 5th August, 1980, the Central Government being of opinion that an industrial dispute existed between the management of Sangramgarh Colliery of Eastern Coalfields Ltd., P.O. Samdi, District Burdwan and their workmen in respect of the matter specified in the schedule attached to the order referred the same for adjudication to this Tribunal. The schedule attached to the order reads thus

"Whether the action of the management of Sangramgarh Colliery of Eastern Coalfields Limited, Post Office Samdi, District Burdwan in refusing the employment of Shri Banshi Bishal, Overburden Remover with effect from 18th August, 1977 was justified. If not, to what relief the workman concerned is entitled?"

2 After notice to the parties they have filed their respective written statements and rejoinders. Parties in course of hearing of the case have not adduced any oral evidence.

3 The case of the management as appears from its written statement is as follows. The dispute referred to the Tribunal for adjudication is not an industrial dispute between the employers and their workmen inasmuch as the reference has arisen out of the representation dated 11-3-79 made to the A.L.C.(C), Asansol by the Secretary, Koyala Mazdoor Congress which union has no locus standi to raise the dispute relating to any workman of the colliery. The colliery in question has employed about 2500 workmen out of whom not a single one is a member of the union. In that view therefore the union is not competent to raise any industrial dispute relating to the workmen of the colliery. Union's representation to the A.L.C.(C) does not therefore amount to raising an industrial dispute. Sri Banshi Bishal the concerned workman, an Overburden Remover at the Babor Unit of the colliery absented himself from duty with effect from 1st November, 1974 without permission and without any satisfactory cause continuously for more than 10 days and also continued his unauthorised absence for year together. The concerned workman, therefore, was taken to

1	2	3	4
9	संख्या 8/60/70-एल० प्रार०-II तारीख 29 अप्रैल, 1970	बल्लारपुर कोलियरी कम्पनी, बल्लारपुर का प्रबंधमंडल श्रीर श्री मोहनलाल हुब्बालाल ।	

[सं० एस०-11025/6/80-डी०-4 (बी)]

एस० एस० मेहता, डेस्क अधिकारी

ORDER

New Delhi, the 28th March, 1981

S.O. 1630.—Whereas the Industrial disputes specified in the Schedule hereto annexed are pending before Shri W.K. Almelkar the Presiding Officer Industrial Tribunal Nagpur,

And Whereas the services of Shri W.K. Almelkar are no longer available ;

Now, therefore, in exercise of the powers conferred by Section 7A readwith sub-section (1) of the section 33B of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby constitutes an Industrial Tribunal the Presiding Officer of which shall be Shri A.W. Pendharkar with headquarters at Nagpur and withdraws the proceedings in relation to the said disputes pending before the said Shri W.K. Almelkar Presiding Officer Industrial Tribunal Nagpur and transfers the same to Shri A.W. Pendharkar Presiding Officer Industrial Tribunal Nagpur with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to law.

THE SCHEDULE

S. No.	I.D. No.	Name & date of the Order	Name of the Parties
1	2	3	4
1	—	No. 1/64/68-LR II dated the 6th June, 1969.	Management of Ghugus Colliery of M/s. Ballarpur Collieries Company Ballarpur, Post Office Manickpur and their workmen.
2.	—	No. 1/10/68-LR. II, dated the 15th Sep., 69.	M/s Rayatwari Colliery, Chanda and 4 others and their workmen
3.	—	Application under Sec. 33(2)(b) of the I.D. Act.	Kamptee Colliery Vs Shri Amarsingh
4.	—	Application under Section 33(2)(b) of the I.D. Act.	Kamptee Colliery Vs Shri Mohammad Alam
5.	—	No. 1/63/68-LR. II, dated the 3rd Oct., 1969.	Management of Rayatwari Colliery, Chanda and their workmen
6	—	No. 1/10/68-LR. II, dated the 23rd Oct., 1969.	Management of Kamptee Colliery Kamptee and others and their workmen
7.	—	No. 3/7/69-LR II, dated the 4th Nov. 1969.	M/s Ballarpur Collieries Company Limited, Ballarpur and their workmen.
8.	—	No. 8/60/70-LR. II, dated the 29th April, 1970	Management of Ghugus Colliery and their workmen
9	—	No. 8/60/70-LR. II, dated the 29th April, 1970.	Management of Ballarpur Collieries Co., Ballarpur and Shri Mohanlal Hubblal.

[No. S-11025(6)/80-D. IV(B)]

S.S. MEHTA, Desk Officer

have given up his job. The General Manager of the employer considered the matter of the workman's indefinite absence from duty and weighing the surrounding circumstances treated the said workmen to have abandoned service and struck off the name of the concerned workman from the rolls of the colliery on 28th February, 1976. An information to this effect was conveyed to the concerned workman when he appeared at the colliery office towards the middle of the year 1976. The action of the management, therefore, is justified and the concerned workman is not entitled to any relief.

In the rejoinder filed by the management the assertion of the management that the concerned workman absented himself from duty without any permission and without any satisfactory cause with effect from 1st November, 1974 is reiterated.

The case of the union as made out in its written statement and rejoinder is that the concerned workman went home with permission of the management from 12th October, 1975 to 25th October, 1975 that during his stay at home he fell seriously ill and underwent treatment of an Asstt. Surgeon of Government Hospital, Kedala, Ganjam from 14th October, 1975 to 15th August, 1975, that for this period of his illness he obtained a medical certificate from the Asstt. Surgeon and that after he becoming fit when he approached the management for permission to resume his duty his prayer was turned down. The union known as Koyla Mazdoor Congress took up the cause of the concerned workman with General Manager of Salanpur Area and discussed with him regarding the workman's claim to resume duty. But all attempts by the union to settle the matter with management having failed the matter was referred to the conciliation officer where the union took up the case of the concerned workman. As no conciliation was arrived at and the conciliation proceeding ended in failure on the report of the conciliation officer an industrial dispute was rightly referred to the Tribunal for adjudication.

4. According to the management the concerned workmen unauthorised by absented himself from duty with effect from 1st November, 1974 whereas according to the union the workman went on leave from 12th October, 1975 to 25th October, 1975 and did not report for duty after expiry of leave on account of his illness upto 15th August, 1975 when only he reported himself for duty with the medical certificate. In spite of the divergent stands taken by the parties they as stated earlier have not chosen to adduce any oral evidence in support of their respective stands. As the language of the reference shows the management has to justify its action taken against the concerned workman. Still Mr. T. P. Choudhury for the management relying on the admission in the written statement as well as in the rejoinder of the union that the workman went on leave and did not report to duty within 10 days after expiry of the leave bases the management's case on the provision contained in para 10(c) of the Model Standing Orders applicable to the colliery in question and argues that the concerned workman has lost his lien on his appointment not having returned to duty within 10 days of expiry of his leave. Loss of lien according to Mr. Choudhury in the present case being automatic the concerned workman is entitled to no relief in the case. I am afraid such a stand by the management is not permissible as it does not accept the case of the union. It is only when parties agree relating to certain fact the same need not be proved. In this view therefore the justification of the action of the management has to be considered on its own stand taken in its pleading. The written statement of the management shows that it did not rely solely on p. 10(e) of the Model Standing Order. In view of the positive stand taken by the management that workman absented himself from duty with effect from 1st November, 1974 without any permission, para 10(e) of the Model Standing Orders will have no application because the said paragraph provides that when a workman after taking leave remains absent beyond the period of leave without permission for 10 days after expiry of his leave he loses his lien on his appointment. Since according to the management the workman never took leave, the aforesaid provision in the Model Standing Order is not attracted at all. Such being the case the management cannot take shelter under Para 10(c) of the Model Standing Orders to say that the concerned workman has lost his lien to the post not having returned to duty within 10 days of expiry of his leave. Further according to the case of the management General Manager struck off the name of the concerned workman from rolls of the colliery with effect from

28th February, 1976. If this action of the management was intended to be under Para 10(e) of the Model Standing Orders there would have been an order by the General Manager when he struck off the name of the concerned workman from the rolls saying that the workman shall be kept in the 'badli list' because as per the provision contained in the said paragraph the concerned workman when he reported to duty had to be kept in 'Badli List'. The written statement of the management is silent about this. Therefore, the conclusion is that the management struck off the name of the concerned workman from the rolls of the colliery by thinking that he had abandoned his service by remaining absent from duty for more than a year. There is no support in the Model Standing Orders for such an action by the management. If the workman remained absent unauthorisedly the only provision under which management could take action was to treat the absence as a misconduct as per para 17(i)(p) of Model Standing Orders, to initiate an enquiry and to dismiss him if he was found guilty in the enquiry. Para 17(ii) says that no order of punishment under Para 17(i) shall be made unless the workman is informed in writing of the alleged misconduct and is given an opportunity to explain the allegations made against him. It is also provided in the said Para 17(ii) that departmental enquiry shall be instituted before dealing with the charges, that the records of the departmental enquiry shall be kept in writing, that the approval of the owner, agent or the chief mining engineer or a person holding similar position shall be obtained before imposing the punishment of dismissal. Admittedly the management has not treated the unauthorised absence of the workman in the present case as a misconduct and has not dismissed him for proved misconduct. If as a matter of fact management would have produced papers to show that the concerned workman went on leave and remained absent from duty for more than 10 days after expiry of leave then in that case it could be said that the concerned workman lost his lien on his appointment. In that case the management while saying that the concerned workman lost his lien to his post must have told the workman that he was kept in the 'Badli List'. No such papers have been produced. On the other hand management denies the stand taken by the workman. Therefore the action of the management could not be said to be under Para 10(c) of the Model Standing Orders and amounts to termination of service of the concerned workman for his misconduct without the said misconduct being established in a domestic enquiry. Striking off the name of the workman from the rolls by the management as has been done in the present case is nothing but termination of his service. An order or an act terminating the service of a workman for his misconduct without taking recourse to the procedure laid down in Para 17(ii) of the Model Standing Orders is invalid in law. Mr. T. P. Choudhury for the management relies upon a decision of the Supreme Court reported in Labour & Industrial Cases 1968 (Vol-I) page-3 (National Engineering Industries Ltd., Jaipur Vs. Hanuman) in support of the contention that when lien of a workman is lost due to his absence from duty without permission for 10 days after expiry of his leave, the workman is not entitled to raise an industrial dispute in such a case because the loss of lien is automatic and is not the result of any action of the management. The said decision in my view does not support the stand of Mr. T. P. Choudhury. In that case respondent remained absent from duty after expiry of his leave without intimation. Thereafter when he reported for duty he was told by the management that his service had stood automatically terminated under provision in the Standing Order. At that time an industrial dispute was pending adjudication in which workman was involved. The workman after being told that his service had been terminated filed an application before a Labour Court under Sec. 33A of I.D. Act. In such a case it was held by their Lordships of the Supreme Court that an application under Sec. 33A of the I.D. Act did not lie because the employer in that case could not be said to have changed conditions of service during pendency of an industrial dispute. But the said decision does not say if the workman in that case could not have raised an industrial dispute under Sec. 10 of I.D. Act. That apart as I have already said the action of the management in the present case is not covered by Para 10(e) of the Model Standing Orders and hence is invalid in law.

The action of the General Manager striking off the name of the concerned workman from the rolls may be looked from another angle. It is admitted in the written statement of the management that the General Manager struck off the name of the concerned workman from rolls on 28-2-76.

It is this act which terminated the service of the workman and so when he reported for duty he was not allowed to resume duty. This termination is not by way of punishment inflicted in a disciplinary proceeding nor it is a case of voluntary retirement, nor it is a case of retirement on attaining the age of superannuation nor it is a case of termination on the ground of continued ill health. Therefore U/S. 2(oo) of I.D. Act the termination amounts to retrenchment. Admittedly there has been no compliance with the provisions of Sec. 25F of I.D. Act. In the decision reported in 14 S.C.L.J. 57 (Delhi Cloth & General Mills Ltd. Vs. Shambhu Nath Mukherjee) it has been held that striking off the name of a workman from the rolls by the management is termination of his service, that such termination of service is retrenchment within the meaning of Sec. 2(oo) of I.D. Act and that when in such a case the provisions of Sec. 25F(a) and (b) which are mandatory have been violated, the termination is invalid. In this view therefore I hold that the termination of service of the concerned workman by striking off his name from rolls with effect from 28th February, 1976 has to be declared illegal.

5. The second point raised by Mr. T. P. Choudhury is that the union sponsoring the cause of the workman here has no authority to represent the concerned workman. According to management the colliery has in its roll 2500 workmen and none of these workmen is a member of Koyla Mazdoor Congress. There is no resolution of the union to take up the case of concerned workman. The workman himself has not authorised the union to represent him in the dispute. Therefore the union has no locus standi to sponsor the cause of the concerned workman and to raise an industrial dispute to be referred to the Tribunal. The present dispute therefore is not an industrial dispute in the eye of law. It is further argued that when the management in its written statement raised this objection it was incumbent on the union to show that there was a resolution empowering the union to take up the cause of the workman or to show that the concerned workman whose dispute has been referred authorised the union to espouse his cause before the Tribunal. In the absence of such authorisation or resolution the union has no locus standi before the Tribunal and the provision of Sec. 2A of the I.D. Act has no application in the case as the order of reference does not say so. For this position reliance is placed by Mr. T. P. Choudhury in a decision of Calcutta High Court reported in 30 F.L.R. 106 (Deepak Industries Ltd. Vs. State of W.B.). In the present case it appears that from the very beginning when the management refused permission to the concerned workman to resume his duty the union has taken up the cause of the workman and has entered into negotiation with the management. The written statement filed by the union supports this. The management does not say that it did not enter into discussion with the union regarding the grievance of the concerned workman because the union had no locus standi to take up the case. In the conciliation proceeding the union represented the concerned workman and no objection was taken there that the union had not been properly authorised by the concerned workman to raise the dispute on his behalf. It is only for the first time when the dispute comes before the Tribunal a point is raised that the union has no locus standi to sponsor the cause of the concerned workman. The conduct of the management from the very inception till it raises the point for the first time before the Tribunal in its written statement goes to show that the management has accepted the position that the union is competent to take up the cause of the concerned workman. The management has accepted the dispute between it and the concerned workman as a difference between employers and workmen connected with employment or non-employment of workmen. It is admitted in the written statement of the management that the union represented the case of the concerned workman before A.I.C.(C). To support the point regarding incompetency of the union to sponsor the dispute for the concerned workman the management called for certain documents, such as, a resolution showing that the union decided to take up the case of the concerned workman, the membership register of the union and the subscription book. It is true that the union has not produced any of the documents. But the fact remains that from the very inception union has taken up the cause of the concerned workman before the management and thereafter in the conciliation proceeding without any objection from the management regarding the competency of the union. In paragraphs 4, 5 and 6 of the written statement the union has specifically asserted that it took up the cause of the concerned workman. In the rejoinder filed

by management the facts mentioned in paragraphs 4, 5 & 6 of the written statement of the union are not denied and it is only stated in the rejoinder that the union is not competent to espouse the cause of the concerned workman. Thus it is seen that the factual aspect asserted by union is not denied by the management. In the decision relied upon by Mr. Choudhury it has been clearly said that an authority from the concerned workman to the union of which the workman is not a member will be sufficient for the union to authorise it to espouse the cause of the concerned workman. This authority may be oral or may be in writing. The fact that from the very beginning the union has taken up the case of the concerned workman in the present case goes to show that the union had authority of the concerned workman to espouse his cause even if it is assumed for the sake of argument that the present union has no member from amongst the workmen working in the colliery in question and that there is no resolution authorising the union to take up the cause of the concerned workman. Such being the position it must be held that the management having accepted the union as fully competent to raise the dispute for the workman from the very beginning it is no longer open to the management to challenge the competency of the union. I further hold that in view of the admitted factual position regarding the fact that the union was all along representing the workman, the union has the authority of the concerned workman to raise the industrial dispute on his behalf.

6. For the reasons stated above I hold that the action of the management of Sangramgarh Colliery of Eastern Coalfields Ltd. in refusing permission to join duty to Sri Banshi Bishal, Overburden Remover from 18th August, 1977 is not justified. The concerned workman is entitled to reinstatement by the management provided he reports for duty within two months from the date of publication of the award. He will not, however, be entitled to any back wages because it has not been proved that the workman had no alternative employment during his period of idleness and that he had tried to mitigate his loss during the period of unemployment and failed. In the peculiar circumstance there will be no order for cost.

B. K. RAY, Presiding Officer

[No. I-19012(66)/79-D.IV(B)]

S. S. MEHTA, Desk Officer

जावेद

नई दिल्ली, 1 अप्रैल, 1981

का० अा० 1632 केन्द्रीय सरकार की राय है कि इससे उपायय प्रमु-
सूची में विनिर्दिष्ट विषय के बारे में भारतीय स्टेट बैंक से सम्बन्ध एक
औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है ;
और केन्द्रीय सरकार उक्त विवाद को व्यापनिर्गमन के लिए निर्देशित
करना बांछनीय समझती है ;

अनः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 7-अ और धारा 10 की उपधारा (1) के खण्ड (ब)
द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित
करती है जिसके पीठासीन अधिकारी श्री जी० एस० बरोत होंगे, जिसका
मुख्यालय महमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को
व्यापनिर्गमन के लिए निर्देशित करती है ।

प्रमुसूची

"क्या भारतीय स्टेट बैंक, एल० एच० अा०, महमदाबाद के प्रबन्धमंडल
की श्री बी० प्रार० शाह, लिपिक और रोकड़िया, नरोरा, गावा, महमदा-
बाद को टेलर के पद पर पदोन्नति न करने की कार्यवाही व्यापकित
है, यदि नहीं, तो सम्बन्धित कर्मकार किस प्रमुतत्व का हकदार है ?"

[सं० एल० 12011/22/80-बी० (ए०)]

ORDER

New Delhi, the 1st April, 1981

S O 1632.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the State Bank of India and their workmen in respect of the matter specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G S Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal

SCHEDULE

"Whether the action of the management of State Bank of India, LHO Ahmedabad in not promoting Shri B R Shah Clerk-cum-Cashier, Narora Branch, Ahmedabad to the post of Teller is justified? If not to what relief is the said workman entitled?"

[No L-12011/22/80-D II(A)]

अधिश

नई दिल्ली 4 अप्रैल, 1981

का० प्रा० 1633—केन्द्रीय सरकार की राय है कि इससे उपायद्व अनुसूची में विनिर्दिष्ट विषय के बारे में बड़ोबा बैंक, प्रादेशिक कार्यालय, अहमदाबाद के प्रबंधमंडल से सम्बद्ध एक औद्योगिक विवाद नियोजको और उनके कर्मचारों के बीच विद्यमान है,

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछनीय समझती है,

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 क 114) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रवर्तन शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिनके पीठामन अधिकारी श्री जी० एस० बरोट होंगे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या बड़ोबा बैंक, प्रादेशिक कार्यालय, अहमदाबाद के प्रबंधमंडल की श्री ए० एस० वालद, अधीनस्थ कर्मचारी की सेवाओं को 4-1-75 (अपराहृत) समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुसूची का हकदार है?

[स० एन०-12012/57/80-डी-II(ए०)]

ORDER

New Delhi, the 4th April, 1981

S O. 1633—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Bank of Baroda, Regional Office, Ahmedabad and their workman in respect of the matters specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G S Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal

186 GI/81-7

SCHEDULE

Whether the action of the management of the Bank of Baroda, Regional Office, Ahmedabad in terminating the services of Shri A. M. Valand, Sub-Staff on 4th January, 1975 (A.N) is justified? If not, to what relief is the worker concerned entitled?"

[No L-12012/57/80-D II(A)]

अधिश

नई दिल्ली 22 अप्रैल, 1981

का० प्रा० 1634—केन्द्रीय सरकार की राय है कि इससे उपायद्व अनुसूची में विनिर्दिष्ट विषय के बारे में यूनियन बैंक ऑफ इंडिया से सम्बद्ध एक औद्योगिक विवाद नियोजका और उनके कर्मकार के बीच विद्यमान है,

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछनीय समझती है,

अतः, केन्द्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रवर्तन शक्तियों का प्रयोग करते हुए एक औद्योगिक अधिकरण गठित करती है जिनके पीठामन अधिकारी श्री बी० जे० इलाविया होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्याय निर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या यूनियन बैंक ऑफ इंडिया के प्रबंधमंडल की उनकी विजयवाड़ा मुख्य शाखा, विजयवाड़ा से संबंधित मिस ए० जे० इलाविया, प्रधान लिपिक की अधिकारी सवर्ग के पत्र पर प्रोन्नत करने से इनकार करने की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुसूची का हकदार है?

[स० एन०-12012(265)/80-डी-II(ए०)]

एन० के० वर्मा, डेस्क अधिकारी

ORDER

New Delhi, the 22nd April, 1981

S O. 1634—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Union Bank of India and their workman in respect of the matter specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri V Neeladri Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal

SCHEDULE

"Whether the action of the management of Union Bank of India in relation to its Vijayawada Main Branch, Vijayawada, in denying promotion to Miss A. J. Elavia, Head Clerk to a post in Officer Cadre is justified? If not, to what relief is the workman concerned entitled?"

[No L-12012(265)/80-D II(A)]

N K VERMA, Desk Officer

New Delhi, the 15th May, 1981

S.O. 1635.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the Industrial dispute between the employers in relation to the management of Oriental Fire and General Insurance Co. Ltd. and their workman.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER,

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, NEW DELHI.

I.D. No. 114 of 1977.

STATE : Uttar Pradesh

In re :

The General Secretary,

The Oriental Fire & General Insurance

Employees' Association,

1280/49, Kidwai Nagar,

Kanpur.

Petitioner

Versus

The Regional Manager,

The Oriental Fire & General Insurance Co. Ltd.,

Bhargava Estate,

The Mall,

Kanpur-1.

Respondent.

AWARD

The Central Government as appropriate Govt. vide its order No. 70(14)/66-LR/III dated 22-6-67 referred an Industrial Dispute u/s 10 of the I.D. Act, 1947 to Industrial Tribunal, Lucknow presided over by Shri Mithan Lal, in the following terms :

Whether the Management of Oriental Fire and General Insurance Company Limited, Kanpur, was justified in not paying to Shri Qutab-Ullah Khan machine allowance and special allowance with effect from the 1st May, 1959 and graduation increment with effect from the 1st July, 1960? If not, to what relief is he entitled ?

2. On receipt of the reference it was ordered to be registered as Central case No. 2/67 and summons were issued to the parties. In pursuance thereof the parties had filed their statements of claims and written statements and upon the pleading of the parties following five issues were framed for trial on 6-10-67 :

Issues :

1. Whether at the time of appointment of Shri Q. U. Khan on 1-5-59 there was no special allowance for Stenographers in the office other than the Central Office at Bombay?
2. Alternatively even if Shri Khan would have been given any special allowance as admissible to the Stenographers at the Central offices the salary on which Sri Khan was appointed was higher than the basic salary plus special allowance paid to Stenographers at Bombay?
3. Is Sri Khan not entitled to any machine allowance either because of the terms of appointment or because a Stenographer as such is not entitled to such an allowance?

4. Is Sri Khan not entitled to graduation allowance because he was already a graduate on the date of appointment and graduation allowance was already included while offering him the initial salary ?

5. Whether on fitment of Sri Khan according to the terms of agreement dated 1st July, 1960, Sri Khan would not have been entitled to any higher salary than paid to him?

3. Before any further proceedings took place in this case the Central Government vide its order No. 70/14/66-LR/IV dated the 2nd December, 1967 referred another dispute between these parties to the same Tribunal in the following terms :

Whether the Management of Oriental Fire and General Insurance Company Limited, was justified in denying Shri Qutab-Ullah-Khan of its Kanpur regional office, the Stenographer's Grade with effect from the 1st July, 1960 and promotion to the post of Assistant Superintendent from the 1st January, 1962? If not, to what relief is he entitled ?

4. The same was registered as No. 11/67(C) and notices were issued in that dispute as well. In pursuance of these notices a statement of claim was filed by the workman in case No. 11/67 and then a written statement was filed and following four issues were framed upon the pleadings of the parties vide order dated 16-4-68 :

Issues :

1. Whether there has been no proper espousal of the dispute as stated in paras 1 and 2 of the employers' written statement?

2. Whether the dispute is belated :

(a) because the Stenographer's grade is claimed w.e.f. the 1st July '60 and promotion to the post of Asstt. Supdt. from 1-1-62 though the C.B. application was filed some time in 1965?

(b) Or the delay was caused because of the act of the employers in not giving any final reply to the request of the workman made immediately after (as orally stated by Shri Q. Khan)?

3. Whether Sri Q. Khan was appointed as a Stenographer from the very date of appointment i.e. 1-5-59? Was there any grade of the Stenographer applicable at that time and what is its effect? Is the workman's claim in any manner affected by the subsequent creation of Stenographers grade ?

4. Whether the action of the employers in not promoting Sri Q. Khan to the post of Asstt. Supdt. w.e.f. 1st Jan. 62 and promoting him as a Special Asstt. from the same date, was a mala fide act?

Following additional issue was framed on 6-6-68 in this case :

Additional Issue :

'Whether the Central Government having regard to the nature of the dispute, had no jurisdiction constitute this Tribunal under Sec. 7A read with clause (d) of sub section (1) of Sec. 10 of Industrial Dispute Act, 1947 ? If so, what is its effect on the present reference ?

Thereafter both these cases were ordered to be fixed up together being between the same parties and have been heard together. In fact vide order dated 18-1-68 in case No. 2/67 it was directed by the Presiding Officer that 'Shri J. P. Sharma is present on behalf of the employers while Shri Vimal Malhotra is present on behalf of the workman. Both of them have made a joint application stating that another case relating to this very workman containing two to five demands, has been registered as adjudication case No. 11/67 and is fixed for filing the written statement on 24-1-68. The evidence on both these cases will be the same. Parties representatives also states that the workman had made a CB application containing all the five demands but somehow the workman's demands have been split up. There are contained

in this reference and two in the other reference. It will save time and energy if both the cases are consolidated and heard together. The request of the parties to adjourn this case is accepted. It will be put up for orders on the 19th February, 1968 at Kanpur. After this order these both cases were put up together and were transferred to another Industrial Tribunal and the case No. 2/67 was registered as case No. 103/72 and case No. 11/67 was registered as case No. 104/72. These cases were again transferred to Industrial Tribunal (III), Kanpur vide order dated 6-10-75 of the Central Govt. Thereafter both these cases were transferred to Industrial Tribunal, Delhi and were registered afresh at nos. 35 of 1976 and 34 of 1976 respectively. Finally these cases were received by transfer in this Tribunal in May, 1977 and were registered as No. 114/77 and 168/77 respectively. A formal order of consolidating the proceedings in these cases was passed by me on 23-9-77 which reads as under :

'Present petitioner in person and Shri Harish Chandra Advocate for the Co. Let the proceedings in this case be consolidated alongwith I.D. No. 169 of 1977 which is pending adjudication before this Tribunal and is between the same parties in as much as almost identical question of fact is involved in these references. The parties also want to lead evidence in a consolidated manner. I order accordingly. The proceedings are consolidated. Evidence would be recorded in this case No. 114 of 1977.'

4. By this award I propose to dispose of these two references now registered as No. 114/77 and 169/77. The evidence of the Management was recorded on 23-9-77 which consists of statement of Shri S. M. Wagle, Assistant Manager of the Insurance Company as M.W.1 apart from certain documents and thereafter the case was adjourned for evidence of the workman to 4-11-77. In spite of about 12 opportunities having been given to workman to produce his evidence the workman failed to produce his evidence, with the result I was constrained to close evidence vide my order dated 16-3-79. Of course some documents of the parties had already been exhibited by my Id. Predecessors and they already form part of the evidence.

5. I have gone through the pleadings of the parties and have heard the workman and Id. counsel for the Company at length and after giving my considered thought to the matter before me I have come to the following findings in these cases :

6. The contention of the workman in I.D. No. 114/77 as disclosed from his statement of claim is that he was appointed with the respondent Company in pursuance of an appointment letter at Kanpur; that he was promoted as Special assistant in October, 1962 w.e.f. 1-1-1962 and was fitted in this grade from the grade of Assistant; that the workman should have been paid machine allowance from 1-5-59 to 30-6-60 because the Stenographer's grade was not applied to him, that from 1-7-60 he should be either in Stenographer's grade or should continue to get machine allowance; that according to prevailing practice one special allowance of Rs. 10 was admissible to Stenographers placed in Assistant's grade till such time as they were not fitted in the Stenographer's grade which was not done in the instant case; that as such the workman was denied machine and special allowance; that he was not even fitted in the post of Special Assistant w.e.f. 1-1-62 from the Stenographer's grade rather than from Assistant's grade which was also wrong; that the workman was similarly entitled to Graduation increment equivalent to two grade increments w.e.f. 1-7-60 which was also denied to him and as such he was entitled to the machine allowance of Rs. 10/- per month w.e.f. 1-5-59, special allowance of Rs. 10 per month w.e.f. 1-5-59 and grade increment at the rate of two increments w.e.f. 1-7-60.

7. In I.D. No. 169/77 the contention of the workman as disclosed from his statement of claim is that in addition to the above allowances he was entitled to Stenographer's grade since his appointment with nine steps up or in the alternative at least w.e.f. 1-7-60 and further that he was entitled to being promoted as an Asstt. Supdt. w.e.f. 1-1-62 instead of special Assistant with consequent wages etc.

8. In I.D. No. 114/77 it is contended by the Management that there was no separate grade or post for Stenographer in the offices other than Central Office at Bombay on 1-5-59 that the workman was appointed under an appointment letter and was entitled to the pay and salary as mentioned therein and was not entitled to any machine allowance or special allowance or Graduation allowance in as much as his pay was fixed at the time of appointment keeping in view all these facts into consideration; that even on fitment according to terms of agreement dated 1-7-60 Shri Khan would not have been entitled to any higher salary than paid to him.

9. In I.D. No. 169/77 it has been contended by the Management that there was no proper espousal; that the dispute was belated; that the workman was not entitled to any of the reliefs claimed by him or to the promotion to the post of Asstt. Supdt. w.e.f. 1-1-62 and the Central Government had no power and jurisdiction to constitute the Tribunal and refer the matter in dispute.

10. I have already observed above in para 4 of this award that the Management has examined only one witness Shri S.M. Vagley, Asstt. Manager as M.W.1 and the workman has not examined any witness what-so-ever. It would therefore be appropriate to re-produce the statement of Shri S. N. Vagley verbatim :

'I have been in this Company since February, 1961. And I have been working in Personal Department thereof. And I have dealt with the case of the petitioner. Ex. E/2 is copy of the application, Ex. E/1 is the letter of appointment. There was no stenographer's grade available in our office at the time Mr. Khan joined our services. The petitioner was given higher salary than the salary grade even though he was appointed as Assistant. Because he was a Graduate and had been working in New India Insurance Co. earlier. Ex. E/3 is the copy of the agreement dated 13-8-60 between Mr. Madan Mohan for the workman and the employer. And it was through this agreement and settlement that stenographer's scale was introduced first time in our company. If Mr. Khan were to be re-adjusted in this stenographer scale in that event he would have been getting the salary as mentioned in para 12 of the written statement in case no. 114/77. And in fact he was getting the same amount on 1-1-62. I tender Ex. M.W.1/1 which is copy of the agreement dated 1-8-60. Kanpur was declared to be Regional office w.e.f. 1-1-62 and in consequence Ex. M.W.1/1 became effective to that Branch as well. Ex. E/4 is the copy where petitioner was promoted. He was further promoted w.e.f. 1-7-70 as Asstt. Administrative Officer. At that time the post of Asstt. Supdt. did not exist. The promotions in the company were made on the basis of work report and record of work of the employee concerned. The promotions were made at the Head office by a committee. I tender Ex. M.W.1/2 which is attested copy of letter dated 7th May, 1968 originating from the Central office, Secretarial Department, regarding sanction of typist allowance and Graduate allowance. There was only the cash allowance for the cashier and machine allowance and no other allowance was available as special allowance. Ex. E/7 shows two allowances of Rs. 10/- each granted to Mr. Joseph and this was due to the fact that Stenographer's grade in the Head office was begun with Rs. 100 and there was no comparable grade in the branches.

It is correct that Mr. Khan was appointed as stenographer in the first instance itself. There was a post of Asstt. Supdt. as shown in the agreement and promotions thereto were regulated from amongst Special Assistants and no stenographer was directly promoted as Asstt. Supdt. In order to attain promotion as Asstt. Supdt. a stenographer would have in the first instance get a promotion as Special Asstt. normally. I do not know if Mr. R. S. Gupta was Asstt. at the time of merger of Insurance Companies from National Fire into Oriental Fire Company.'

10. As regards the documents produced by the parties the same are Ex. W/1 produced by the workman and Ex. E/1 to Ex. E/14 and Ex. M-1/1 and Ex. M-1/2, Ex. W/1 is the copy of letter written by the respondent Company to the Regional Labour Commissioner (Central). This precisely gives the contentions of the Management in the instant case taken up before the Regional Labour Commissioner. The most important document in the instant case is Ex. E/1 which is the admitted copy of appointment letter dated 1-5-59 in respect of this workman. It would be appropriate to reproduce it here. It reads as under :

'With reference to your application dated 29-4-1959, we have pleasure in offering you an appointment at our Kanpur office on a monthly salary of Rs. 128 which carries with it at present a dearness allowance of Rs. 72.80. Please note that no typing allowance will be paid to you as you are required to work as a stenographer.

The appointment is on a confirmed basis and you are required to join the Staff Provident Fund from the date of joining the Company.

You will not be permitted to engage directly or indirectly in any business other than that of the Company and you will regard the affairs of the Company as strictly confidential. You will in all respects be bound to abide by the company's rules and regulations in force for the time being. If at any time it is found that you have not conformed to these requirements, you will be liable to disciplinary action, which may even include termination of your services.

Please confirm your acceptance of the appointment on these terms by signing and returning the attached duplicate of this letter. We understand that you have taken up your duties as from today at our Kanpur Office.'

11. The other important documents which has been produced by the respondent is Ex. M.W.1/1 which is the copy of Memorandum of Settlement entered into between the Management on the one hand and representative of the workman at Madras, Calcutta, Bombay and Kanpur on the other hand. The entire case of the workman mainly hinges on the interpretation of these two documents Ex. E/1 and Ex. M.W.1/1. Both these documents are admitted to be correct by the parties.

12. It emerges from the statement of M.W.1 read in the light of letter of appointment Ex. E/1 that there was no post of Stenographer in the Kanpur Office at the time when Mr. Khan had joined the service of respondent—Company and as such he was appointed to discharge the functions of a Stenographer in the grade of Assistant but taking onto consideration his Graduation, his experience and other requirements of his job as a Stenographer his salary was fixed at Rs. 128 per month apart from a dearness allowance of Rs. 72.80. It was categorically stated in the appointment letter even that he was to discharge the functions of a Stenographer and would not be entitled to any typing allowance. I am afraid in the face of the categorical statement in Ex.1 it would not be open to the workman to now come forward and claim any special allowance as a Stenographer or any machine allowances or any Graduation allowance. The Management has established beyond all doubt that the workman was not entitled to any of these additional allowances in view of the fact that while fixing the basic salary at the time of appointment of this workman all these aspects were taken into consideration and then his figure of Rs. 128 was arrived at. Mere fact that there was or there was not any special allowance for Stenographers in the offices other than Central Office at Bombay would not make any difference to the case of this workman in as much as it has been categorically stated by M.W.1 that no post of Stenographer as such was sanctioned for Kanpur office where the workman was appointed. The device of appointing this workman on a basic salary of Rs. 128 in the scale of Assistant was availed of by the Management to have the services of a Stenographer available to it without having a of formal post of Stenographer. The grade of the Assistant was 75—282 as evidenced by

M.W.1/2 and as such the workman cannot be now permitted to come forward and say that he was entitled to special allowance of Stenographers or graduation allowance or machine allowance. He would not be entitled to special allowance of stenographer because his posting was not effected on the post of a Stenographer and there was no post of Stenographer at Kanpur. He cannot claim graduation allowance and machine allowance because these two elements were already taken into consideration while fixing his basic salary at the time of appointment of Rs. 128. It may be mentioned here that there is an endorsement on Ex. E/1 which shows that the workman had accepted these terms offered to him by the Management and it cannot be said that the terms were not fair to him. In all reasonableness the workman was given a fair deal and therefore he cannot now claim any of these allowances. It would not be out of place to mention here that it has been even categorically mentioned in the letter of appointment Ex. E/1 that he would not be paid any typing allowance which included the machine allowance. It may also be mentioned here that the statement of M.W.1 stands un-rebutted. Nothing has been brought out to damage this statement even during cross examination. The workman has not even personally come forward as a witness to challenge the correctness of the statement and therefore this court has to accept the statement of M.W.1 un-rebutted as it stands in its entirety. In view of my discussions above, issues no. 1 to 4 in I.D. No. 114 of 1977 are decided against the workman and in favour of the respondent.

13. Coming to issue no. 5 it may be mentioned that the agreement is dated 1st August, 1960 rather than 1st July, 1960 and copy thereof is Ex. M.W.1/1. This agreement actually comes into force w.e.f. 1st July, 1960 as clause 22 thereof would show and therefore this date 1st July, 1960 appears to have been referred to in issue no. 5.1 have perused the provisions of M.W.1/1, the agreement or the settlement and from the perusal thereof I have come to the conclusion that the workman is not entitled to any higher salary than was paid to him even on fitment according to the terms of this agreement. His basic salary on appointment was Rs. 128 even giving 25 per cent adjustment of the new scale whether as Assistant or as Stenographer and after allowing the annual increment and after allowing the adjustment of the new grade his salary in no circumstance could have been more than Rs. 140 per month. As against this his basic salary was fixed at Rs. 145 w.e.f. 30-6-61 which rose to Rs. 155 from 1-7-61. Thus it cannot be said that this workman would have been entitled to higher salary of fitment than which was granted to him actually and therefore issue no. 5 also is decided against the workman in reference no. 114/77.

14. We now come to the claim of the workman in reference No. 169/77. In this reference the Management has alleged that there was no proper espousal of the disputed and in consequence issue no. 1 was framed in this reference. The workman has not led any evidence to establish that the matter under reference was ever espoused. He has not even forward himself to depose even orally that the matter come under reference was espoused at all. This fact of espousal could only have been proved by a positive evidence by the workman. In view thereof I hold that it is not established on record that the matter under reference was ever espoused by a recognised union or by sufficient number of workmen and as such issue no. 1 in reference no. 169/77 is decided against the workman and in favour of the Management.

15. Once issue no. 1 is decided against the workman other issues do not call for a decision in as much as the matter under reference would not qualify as an Industrial Dispute unless it is established to have been espoused by a recognised union or by sufficient number of workmen. However it would be appropriate to discuss remaining issues as well.

16. As regard issue no. 2 there is no doubt that this dispute was not raised until very late but this was a matter to be considered by the appropriate Govt. at the time of making the reference. Mere fact that benefits are claimed now w.e.f. 1-7-60 and promotion is claimed from 1-1-62 by itself would not non-suit the claim of the workman

after the appropriate Govt. has thought it proper to make the reference. No doubt that the workman has not produced any evidence what-so-ever establish any of these facts which are subject matter of issue no. 2 or to disprove it but it is apparent that the dispute was raised belatedly but that would not in any manner effect the claim of the workman after the appropriate Govt. has referred the dispute for adjudication and accordingly it is held under this issue no. 2 that inspite of belated nature of the claim of the workman it does not effect merit of the claim.

17. Coming to issue no. 3, it would suffice to say that keeping in view the appointment letter Ex. E/1 read in the light of statement of M.W.1 it cannot be said that this workman was appointed as a Stenographer rather he was appointed as an Assistant but was given higher salary in consideration of his having to discharge the functions of a Stenographer. Mere fact that grade of Stenographer is created subsequently would not in any manner help the workman keeping in view the provisions of Bipartite Settlement Ex. M.W.1/1. From the perusal of Ex. M.W.1/1 it cannot be said that it was agreed therein that Assistant's who were discharging precisely the functions of a stenographer would be fitted in the grade of stenographers after coming into force of the new agreement. In fact there is nothing in the said agreement which even remotely goes to suggest that this workman was entitled to be placed and fitted in the grade of stenographer or that he had been automatically appointed as a stenographer in consequence of this agreement Ex. M.W.1/1. That being the position it would follow that subsequent creation of post of stenographer does not in any manner help the workman in the instant case and issue no. 3 is decided accordingly.

18. As regards issue no.4 a reference to Ex. M.W.1/1 which is copy of the Bipartite Settlement would show that there is nothing therein which entitled or conferred a right upon this workman to be promoted as Asstt. Supdt. rather than as a special assistant. In the instant case I have already held that this workman was working as an assistant and it would therefore follow that if at all he was entitled to promotion it was as a special asstt. rather than as an Asstt. Supdt. as claimed by the workman now. There is absolutely nothing which has been brought on record by this workman to even remotely suggest that this workman was entitled to be promoted as Asstt. Supdt. rather than as special assistant. The workman has not been able to draw my attention to any other rule or regulation or condition of service governing this workman which conferred any right upon this workman to be promoted as Asstt. Supdt. w.e.f. 1-1-62 and in the absence thereof it would follow that he had no such right. It may also be mentioned here that it is categorically stated by M.W.1 that at the time of promotion of the workman the post of Asstt. Supdt. did not even exist. It is stated during cross examination by M.W.1 that the promotion to the post of Asstt. Supdt. were regulated from amongst Special Assistants and no Stenographer was directly promoted as Asstt. Supdt. and to get promotion as Asstt. Supdt. a stenographer would have in the first instance to get a promotion as Special Assistant. In the absence of any evidence by the workman to show that there was a rule which required that this workman was to be promoted as Asstt. Supdt. w.e.f. 1-1-62 in the circumstances in which he was placed it cannot be said that the workman was entitled to be so promoted as Asstt. Supdt. from 1-1-62. Reference here may be made to Ex. E-3 which is the copy of the letter written by the workman to the Dy. Regional Manager in which he has claimed graduate allowance as an Assistant. Thus even on the contention of the workman this workman was initially appointed as an Assistant and therefore he could not be straight away promoted as Asstt. Supdt. without having been first promoted as Special Assistant. Even otherwise the normal rule of promotion is from a grade to the next higher grade unless for some special reasons direct promotion is made to a higher than the next higher grade. There is nothing in the instant case to suggest that the workman was ever promoted to the higher grade of Asstt. Supdt. rather than the next higher grade of special Assistant. A perusal of Ex. M.W.1/1 would show that the Asstt. Superintendents are a higher grade than Special Assistant and therefore naturally an Assistant would have to first get promotion as Special Assistant and

than he would be entitled to promotion as Assistant Superintendent. In view of my discussions above, issue no. 4 in reference No. 169/77 is also decided against the workman and in favour of the Management.

19. Coming to the additional issue, the contention of the Management is that in so far as the matter under reference covers establishment beyond one state reference should have been made in the instant case to the National Tribunal rather than to Industrial Tribunal. There is nothing in the instant case which calls for a reference to the National Tribunal since this is a matter primarily relating to certain benefits claimed by an individual workman though through a union and no workman of other station has as a class any interest therein much less a workman of another state, and in view thereof it cannot be said that the Central Govt. has no jurisdiction to constitute this Tribunal. Even otherwise it is not open to the Management to take up this objection before this Tribunal after the appropriate Govt. has made the reference. It is not the contention of the Management that the reference has not been made by the appropriate Govt. It is also not contended that the reference is not of an Industrial dispute. Similarly it is not urged that Shri Qutub-Ullah-Khan is not a workman and in view of these facts of the Management felt aggrieved by the order of reference it was open to it to challenge it by way of writ petition in appropriate High Court. This objection therefore cannot be heard by this Tribunal and therefore on this issue it is held that the reference to this Tribunal is valid and is not bad.

20. No other point has been urged before me.

21. In view of my discussions and finding upon issues above, I hold that the workman is not entitled to any relief in any of these references and accordingly it is awarded that the Management of Oriental Fire and General Insurance Company Ltd. Kanpur was justified in not paying to Shri Qutub-Ullah-Khan machine allowance and special allowance w.e.f. 1st May, 1959 and graduation increment w.e.f. 1st July, 1960 and it is further awarded that the Management of Oriental Fire & General Insurance Co. Ltd. was justified in denying Shri Qutub-Ullah Khan of its Kanpur Regional Office the Stenographer's grade w.e.f. the 1st July 1960 and promotion to the post of Asstt. Supdt. from the 1st January, 1962 and that the workman was not entitled to any relief in any of these references. Parties however would bear their own costs.

Dated: the 28th February, 1981

Further Ordered

That requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end.

MAHESH CHANDRA, Presiding Officer

[No. 670/14/66-LR.III]

N. K. VERMA, Desk Officer

आदेश

मई त्रिंती, 2 मई, 1981

का० आ० 1636—इसमें उपावृद्ध अनुसूची में विनिर्दिष्ट औद्योगिक विवाद श्री एस० के० कादरी, पीठासीन अधिकारी औद्योगिक अधिकरण, अहमदाबाद के समक्ष मंजूर पड़ा है।

और श्री एस० के० कादरी की सेवाएं उपलब्ध नहीं रही हैं, अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33-अ की उपधारा (1) के साथ मंजूर धारा 7क द्वारा प्रबल शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने 'औद्योगिक अधिकरण मंजूर नहीं है, जिनमें पीठासीन अधिकारी श्री जी० एम० बेरोड होंगे और जिनका स्थापन अहमदाबाद में होगा तथा उक्त श्री एस० के० कादरी, पीठासीन अधिकारी औद्योगिक अधिकरण अहमदाबाद के समक्ष

लंबित पड़े उक्त विवाद से संबद्ध कार्यवाही की वापिस लेती है और उसे श्री जी० एम० बेरोट, पीठासीन अधिकारी, औद्योगिक अधिकरण, ग्रहमबाबाव को इस निदेश के साथ स्थानान्तरित करती है कि उक्त अधिकरण द्वारा कार्यवाही उसी प्रक्रम से करेगा, जिसपर वह उसे स्थानान्तरित की जाए और विधि के अनुसार उसका निपटान करेगा।

अनुसूची

क्रमांक	आदेश की संख्या और तारीख	विषय
1. एल० 41011(9)/80-डी० II (बी०) तारीख 23 फरवरी, 1981	इंजीनियरी वर्कशाप, साबरमती, ग्रहमबाबाव के नैमित्तिक अधिकारों को उपलब्ध लाभ देने के बारे में कार्यपालक इंजीनियर (सी) पश्चिमी रेलवे, सुखर-नगर और उनके कर्मकार ।	

[संख्या एल०-41011(9)/80-डी० II (बी)]

एस०एम० भल्ला, ईम्क अधिकारी

ORDER

New Delhi, the 2nd May, 1981

S.O. 1636.—Whereas the Industrial dispute specified in the Schedule hereto annexed is pending before Shri S.K. Kadri, the Presiding Officer, Industrial Tribunal, Ahmedabad;

And whereas the services of Shri S.K. Kadri are not available;

Now, therefore, in exercise of the powers conferred by section 7a read with sub-section (1) of section 33-B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal the Presiding Officer of which shall be Shri G.S. Barot with headquarters at Ahmedabad and withdraws the proceedings in relation to the said dispute pending before the said Shri S.K. Kadri, Presiding Officer, Industrial Tribunal Ahmedabad and transfers the same to Shri G.S. Barot, Presiding Officer, Industrial Tribunal, Ahmedabad with the direction that the said Tribunal shall proceed with the proceedings from the stage at which this is transferred to it and dispose of the same according to law.

SCHEDULE

Sl. Number and date of the Order No.	Subject
1. L-41011(19)/80-D.II(B) dated the 23rd February, 1981.	Executive Engineer (C), Western Railway, Surendranagar and their workmen over grant of benefits available to casual Workers of the Engineering Workshop, Sabarmati, Ahmedabad.

[No. L-41011(9)/80-D. II (B)]
S. S. BHALLA, Desk Officer

New Delhi, the 15th May, 1981

S.O. 1637.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on the 12th May, 1981.

BEFORE THIRU T. SUDARSANAM DANIRL, B.A., B.L.
PRESIDING OFFICER

Industrial Dispute No. 26 of 1981

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the management of Food Corporation of India, Madras).

BETWEEN

The workman represented by Thiru K. Damodaran, General Secretary, Food Corporation of India Executive Employees Union, 3, Lakshmi Talkies Road, Shenoy Nagar Madras-600030.

AND

The District Manager, Food Corporation of India, No. 8, Satyamurthy Road, Madras-31.

Reference : Order No. L-42012(55)/80-D. II. B, dated 11th March, 1981 of the Ministry of Labour, Government of India.

This dispute coming on this day for final hearing upon perusing the reference, claim statement and all other material papers on record and upon hearing the arguments of Thiruvargal K. Damodaran, General Secretary and R. Rzhilan, Unit Secretary of the Union and the Management being absent this Tribunal made the following.

AWARD

This is an Industrial Dispute between the workmen and the Management of Food Corporation of India, Madras referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-42012(55)/80-D. II. B, dated 11th March, 1981 of the Ministry of Labour, in respect of the following issue :

"Whether the action of the District Manager Food Corporation of India, Madras in denying regularisation and time scales of pay to the Smt. 1. N. Saya Devi, 2. V. Ramani Bai, 3. S. Rani, 4. D. Raghal, Sweepers at Arkonam Depot is justified? If not, to what relief are the concerned workmen entitled to?"

(2) Facts leading up to the dispute are as follows : The Management is Food Corporation of India, Madras-31, Tamil Nadu State. The claim statement has been filed by the Secretary, Food Corporation of India Employees' Union Arkonam, 631002, North Arcot District, Tamil Nadu State. The dispute relates to four sweepers (female) who are mentioned in the reference itself. The management denies regularisation of the services of these workers and also denies time scale of pay to these workers. On the dispute raised by the Petitioner-Union, the present reference has been made to this Tribunal by the Government of India.

(3) The Unit Secretary of the Petitioner-Union has been examined as W.W. 1. He has also produced the copies of the communication received from the Management, Exs. W-1 to W-11. In Ex. W-8 the service particulars of these four workers are furnished by the Management on 29-6-1977. It can be gathered that these four workers were in the employment of the Management from July, 1975. It is also indicated that these workers attend to their duties regularly and perform their work to the entire satisfaction. Under Ex. W-8 the Assistant Manager, Food Corporation of India, Arkonam-2 recommends to the District Manager, Food Corporation of India, Madras-31 that these four workers have put in a continuous service of more than two years and hence their services may be regularised in their respective posts. Ex. W-9 is also another letter from the Assistant Manager (Depot), Food Corporation of India, Arkonam-2 to the District Manager, Food Corporation of India, Madras-31 wherein also it is stated that these four workers were employed in the depot from 1975 and that their work is very loyal, sincere and hard-working. The Management under Ex. W-11 purported to fix an interview for these four sweepers. But this interview never took place. From the circular issued by the Food Corporation of India dated 20-12-1977 copy of which is

marked as Ex. W-4, the Food Corporation of India has decided that the officials who had been working prior to 25-1-1976 without employment exchange channels should be interviewed along with other candidates sponsored through employment exchange and their services regularised with effect from the date of such empanelment. Although a specific circular has been issued by the Food Corporation of India, nothing has been done by the management. Actually under Ex. W-5 the Assistant Manager (Depot), Food Corporation of India, Arkonam-2 has drawn the attention of the Management that as per the circular the services of the four sweepers, who are engaged as full time sweepers, must be regularised. In Ex. W-6 also it is pointed out that these four sweeper women are engaged full-time and are attending to their duties from 9.00 A.M. to 4.30 P.M. In the face of these overwhelming documents of Management it is no surprising that the Management did not choose to enter appearance before this Tribunal to resist the claim of the workers or file even any counter statement to the claim made by these workers. In the circumstances it is just, fair and proper that the services of these four workers must be regularised and time scale of pay given to them. In view of the circular of the Food Corporation of India dated 20-12-1977, copy of which is marked as Ex. W-4 the regularisation should be deemed to have taken place from 1-1-1978 and accordingly these workers are given time scale of pay from that date and the Management is directed to pay the arrears of wages within a month of publication of the Award.

(4) In the result, an Award is passed holding that the action of the District Manager, Food Corporation of India, Madras, in having denied regularisation of services and time scale of pay to these four workers is unjustified and improper and consequently the services of these four workers must be deemed to have been regularised with effect from 1-1-1978 on time scale of pay. The Management is directed to pay the arrears of wages to these four workers within a month from the date of publication of the Award.

Dated, the 2nd day of May, 1981.

T SUDARSANAM, DANIEL.
Industrial Tribunal

WITNESSES EXAMINED

For Workmen

W.W. 1 Thiru R. Ezilan

For Management : None.

DOCUMENTS MARKED

For Workmen

Ex. W-1/7-9-76—Letter from F.C.I., Arkonam to the District Manager, F.C.I., Madras furnishing service particulars of the workers. (copy)

Ex. W-2/23-2-77—Letter from F.C.I., Madras to the Assistant Manager, (D), F.C.I. Arkonam stating that time-scale does not apply to the workers. (copy)

Ex. W-3/20-12-77—Circular of the F.C.I., Zonal Office regarding regularisation of appoints. (copy)

Ex. W-4/26-4-77—Letter from the Assistant Manager, F.C.I., Arkonam to the District Manager, F.C.I., Madras regarding regularisation of Sweepers. (copy)

Ex. W-5/26-2-77—Letter from the Assistant Manager, F.C.I., Arkonam to the District Manager, F.C.I., Madras stating that workmen sweepers are engaged as full time sweepers. (copy).

Ex. W-6/26-5-77—Letter from the Assistant Manager F.C.I., Arkonam to the Assistant Manager, F.C.I., Madras requesting for the regularisation of the sweepers. (copy).

Ex. W-7/29-6-77—Letters from the Assistant Manager, F.C.I. Arkonam to the District Manager, F.C.I., Madras, regarding regularization of sweepers. (copy)

Ex. W-8/22-9-76—do—do—do (copy)

Ex. W-9/21-6-78 Letter from the District Manager, F.C.I., Madras directing the part time sweepers to appear for interview. (copy).

Ex. W-10/26-6-78—Memorandum of the Assistant Manager, F.C.I. Arkonam to the Sweepers directing them to appear for interview. (copy)

Ex. W-11/26-6-78—Telephone Message from the District Manager, F.C.I., Madras requesting not to direct the part time sweepers to appear for interview on 28-6-78. (copy)

For Management : Nil

Note : Parties are directed to take return of their documents within six months from the date of publication of this Award.

T. SUDARSANAM DANIEL,
Industrial Tribunal
[N. L-42012(55)/80-D. II. B.]
S. S. BHALLA, Desk Officer

New Delhi, the 4th May, 1981

S.O. 1638.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Bhulanbararee Colliery of Messrs. Bharat Coking Coal Limited, Post Officer Bhulanbararee, District Dhanbad and their workmen, which was received by the Central Government on the 4th May, 1981.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 10/79

PARTIES : Employers in relation to the management of Bhulanbararee Colliery of M/s. Bharat Coking Coal Ltd., P.O. Bhulanbararee, Dist. Dhanbad.

AND

Their workman.

Appearances :

For the Employers—Shri B. Joshi, Advocate.

For the Workman—Shri B. N. Sharma, Joint General Secretary, J.M.S.

Industry : Coal.

State : Bihar.

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following dispute to this Tribunal for adjudication by their Order No. L-20012/89/79-D. III(A) dated the 4th October, 1979.

SCHEDULE

“Whether the action of the management of Bhulanbararee Colliery, M/s. Bharat Coking Coal Ltd., P.O. Bhulanbararee, Dist. Dhanbad in dismissing Shri Jawahar Jha, Night Guard from service with effect from the 1st July, 1976 is justified? If not, to what relief is the said workman entitled?”

2. The case of the union on behalf of the concerned workman is that Sri Jawahar Jha the concerned workman was chargesheeted by the management of Bhulanbararee Colliery for alleged misconduct of abusing and assaulting Sri B. N. Singh, Welfare Officer of Gopalchak Colliery reported to have committed on 6-2-76 at 4.45 p.m. The concerned workman submitted his explanation denying the charge but he was dismissed from service w.e.f. 1-7-76 without holding any proper and fair enquiry in accordance with the principles of natural justice. It is submitted that only empty formalities were observed during the enquiry and the Enquiry Officer was quite biased and not impartial and no sufficient opportunity was given for his defence.

3. It is stated that on the date of occurrence the concerned workman was on duty at Bhulanbararee Colliery from 8 a.m. to 5 p.m. but he was still having his residence at Gopalichak Colliery even after his transfer to Bhulanbararee Colliery and for coming back to his residence he was required to travel a part of the road about 1 k.m. on foot and there after by public bus in two stages and so there was no possibility of his presence at Gopalichak Colliery at 4.45 p.m. It is also stated that the Enquiry Officer did not evaluate the evidence properly and it is a case of victimisation. According to him Sri B. N. Singh the concerned Welfare Officer was involved in a rape case in which the relations of Shri Jha were witnesses and Sri B. N. Singh put pressure over him to win over the witnesses to suppress the case. But as the concerned workman failed to oblige, this charge of misconduct was fabricated against him.

4. The management has come to contest the case and their defence is that the concerned union has no locus-standi to raise the present dispute and to their knowledge there has been no resolution of the union to take up the dispute either at the request of the concerned workman or otherwise and hence the present reference is not maintainable. It is further stated that Sri Jha was dismissed for proved misconduct after a fair domestic enquiry was held against him in which he was given all possible opportunities to defend himself and that all the witnesses were examined in presence of the concerned workman and were cross-examined by him. He was also given assistance of two co-workers to defend him and the witnesses were examined in their presence and further Shri Jha also examined himself and his defence witnesses and so there was no denial of natural justice. It is also stated that the Enquiry Officer was impartial and he was not prejudiced in any way and that he gave his report after discussing the entire evidence and found the workman guilty for the charge of misconduct. The management agreed with the finding of the Enquiry Officer and passed the order for dismissal accordingly.

5. The point for consideration is as to whether the action of the management in dismissing Shri Jha from service w.e.f. 1-7-76 is justified and if not what relief he is entitled to.

6. During hearing stage the management did not press their first point regarding the competency of the union who raised the dispute and hence this point is decided in favour of the concerned workman.

7. The preliminary issue as to whether the domestic enquiry was conducted fairly and properly was heard by my predecessor-in-office who by his order dated 24-9-80 held that the enquiry was fair and proper and there was no denial of natural justice.

8. In the circumstances the only point to be decided is as to whether there was sufficient evidence before the Enquiry Officer to hold the workman guilty of the charge.

9. Ext. M-1 is the chargesheet dated 9-2-76 against the concerned workman in which it is alleged that on 6-2-76 at about 4.45 p.m. the concerned workman entered in the Office of Sri B. N. Singh, Welfare Officer of Gopalichak Colliery and used abusive language on his person and also assaulted him with first. By the intervention of the workers nearby Shri Singh was saved from being seriously wounded. The workman denied the charge and submitted his explanation which is Ext. M-2 dated 12-2-76. Thereafter Sri J. R. Varman, Dy. Personnel Manager was appointed to hold the domestic enquiry. This witness in his evidence before this Court as MW-1 has stated that he gave full opportunity to the concerned workman and he was not prejudiced in any way. The entire enquiry proceeding has been filed in this case. From the enquiry proceeding it will appear that the management in all examined 8 witnesses in support of the allegation. The allegation against the concerned workman is that he had been transferred to Bhulanbararee Colliery from Gopalichak and that on the date and time of the occurrence he came to the office of the Welfare Officer Shri Singh and asked him as to why he has stopped his pay. On this Shri Singh told that Sri Kishori Singh, Havildar had reported that the concerned workman had not deposited the torch after transfer and so the concerned workman should call Shri Kishori Singh and get the matter settled and then he would be paid his pay or he may see the manager

in this connection. On this the concerned workman became furious and used abusive language against Shri Singh and also proceeded to assault him. The witnesses who were present nearby intervened and the concerned workman was taken out and then the situation became calm. Sri K. P. Singh is the first witness examined on behalf of the management. He has stated that on the date of occurrence the concerned workman went to receive his pay but he was informed by the Payment Clerk that his payment has been stopped. Thereafter the concerned workman entered into the office of the Labour Officer, Shri Singh and asked him the reason for stopping his pay. Shri Singh told him that he had been transferred but had not deposited the torch and so he should deposit the torch and get his pay or he should meet the manager. On this the concerned workman became furious and abused in vulgar language and also raised his fist for assault Sri Singh. On hullah several persons came and the concerned workman who was in anger was taken out. In cross-examination the witness has stated that on hullah he reached at the place of occurrence. Nothing has been suggested to this witness and why he would come to depose false. The next witness is Sri N. K. Singh the Manager who on hullah reached to the office of the Welfare Officer and found him sitting on his chair and 4 or 5 persons were catching hold of Sri Jha who was trying to free himself and was using abusing language. There is absolutely no reason as to why the Manager who is a responsible Officer would come to depose false against the concerned workman. The third witness is Ranjit Singh a Clerk who is an eye witness. He had gone to the office of the Welfare Officer with some records and was showing the same to him when Shri Jha came there and asked Shri Singh about the stoppage of his pay on which Shri Singh told him that as he had not deposited the torch as reported by Shri K. Singh, Havildar hence his pay had been stopped and so he should either call Sri K. Singh or meet the manager. On this Shri Jha became furious and began to abuse Shri Singh in vulgar language. This witness has also spoken the words used by Sri Jha. He has further stated that other persons came and caught hold of Shri Jha and took him out. There is nothing in the cross-examination of this witness to discredit his testimony. The next witness is Rambilash Paswan a Trammer who is an independent witness having no concern either with the Welfare Officer or with the concerned workman. He has stated that at the time of occurrence he had gone to the office of Shri Singh as there was some mistake in his hazri. While he was talking to Shri Singh in presence of Ranjit Singh, Clerk and Janardan Prasad, Shri Jha came there and asked Shri Singh the reason of stoppage of his pay on which the Labour Officer told that he had not stopped the pay but Shri Kishori Singh, Havildar reported that he had not deposited the torch and so he should call Kishori Singh or meet the Manager. On this the concerned workman became furious and started abusing in filthy language. The next witness is Shri Janardan Prasad who was also present at the time of occurrence and he has also stated the same fact. He has also stated that Shri Jha also raised his fist to assault Shri Singh. Sri S. N. Singh is mining Sirdar in Gopalichak Colliery who reached at the place of occurrence and has stated the same fact. Sri B. N. Singh the Welfare Officer has also examined himself and he has given details of the occurrence. Shri Kishori Singh, Havildar has also been examined and he has stated that he reported about the non-deposit of the torch and he had also reached the place of occurrence on hullah.

10. There is absolutely no reason as to why so many witnesses would come to depose falsely against the concerned workman. These witnesses had no enmosity or grudge against the concerned workman and it does not look natural that so many witnesses would come to depose false at the beck and call of Shri Singh.

11. No doubt the concerned workman has examined himself and has denied the occurrence and has also examined Shri R. Singh and Sri Dhruv Dubey to show that Shri Jha was late in coming to his residence and he could not be present at the time of occurrence. Their evidence does not inspire any confidence.

12. The Enquiry Officer in his long report has discussed all the evidence in detail and has given his finding.

13. Thus from the enquiry proceeding it is apparent that there was more than sufficient evidence against the concerned workman to hold him guilty of the charge of misconduct and the action of the management cannot be said unjustified in any way

14. This is a case in which a subordinate abused his superior officer and also went to the extent of assaulting him. This is the height of indiscipline and for such a misconduct the punishment for dismissal from service can in no way be said to be severe.

15. Considering the evidence and circumstances of the case, I hold that the action of the management in dismissing the concerned workman from service with effect from 1-7-76 is justified and the concerned workman is not entitled to any relief.

I give my award accordingly.

Dated the 29th April, 1981 J. N. Singh, Presiding Officer
[No. L-20012/89/79-D. III(A)]

New Delhi, the 14th May, 1981

S.O. 1639.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Loyabad Colliery of Messrs Bharat Coking Coal Limited, Post Office Bansjora, District Dhanbad and their workmen, which was received by the Central Government on the 11th May, 1981.

BEFORE THE CENTRAL GOVT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 36/80

PARTIES :

Employers in relation to the management of Loyabad Colliery of M/s. Bharat Coking Coal Ltd., P. O. Bansjora, Dist. Dhanbad.

AND

Their workman.

APPEARANCES :

For the Employers—Shri T. P. Chowdhury, Advocate.

For the Workman—Shri B. K. Ghose, Member, Ex-Committee, J. M. S.

INDUSTRY : Coal

STATE : Bihar

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following dispute to this Tribunal for adjudication by their Order No. L-20012/126/79-D. III(A) dated the 1st May, 1980

SCHEDULE

“Whether the action of the management of Loyabad Colliery of M/s. Bharat Coking Coal Ltd., P. O. Bansjora, Dist. Dhanbad in dismissing the services of Shri Shamsad Khan, Night Guard with effect from 15th December, 1976, is justified? If not, to what relief is the said workman entitled?”

2. The case of the workman is that his dismissal was effected in gross violation of the principles of natural justice as no chargesheet was served on him and no opportunity was given to him to defend himself against the accusations alleged in the letter of dismissal viz. absenting without permission and without satisfactory cause for more than 10 days from 1-5-76 and criminal offences which constitute acts subversive to discipline. It is submitted that as the dismissal is based on unsound grounds and as it is violative of the principles of natural justice he is entitled to be reinstated with full wages.

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3. The case of the management is that the present case is not maintainable as the dispute has been sponsored by the so called Janta Mazdoor Sangh which was formed in the year 1977 while the workman was dismissed with effect from 15-12-76 and that the concerned workman was not a member of the union nor any resolution has been filed to show that the case of the workman was sponsored by this union. On merits however the case of the management is that Sri Khan the concerned workman was in the employment of the company at its Loyabad Colliery as a Night Guard and his job was to guard the property of the company. He was found missing with effect from 1-5-76 and was untraced without any leave or permission. After a long time the employers were informed by the local Police that in fact Shri Khan along with others had been arrested by the Katras Police while they were out to commit dacoity near Tetulmari and according to the Police on 29-4-76 while the Officer-in-charge of Katras Police Station was on patrolling duty along with some Policemen, he received information that 7 to 8 dacoits had boarded a Tempo bearing No BHR-2090 and had gone towards Tetulmari side to commit dacoity. The Police party proceeded to that side and located the Tempo which was standing by the road side. On seeing the Police party the Tempo started but was chased and the concerned workman and some others were apprehended. On search two live cartridges were recovered from the right side pocket of the Kurta of the concerned workman while a country made pipegun was recovered from his waist under his lungi. The Police instituted a case U/S 399/402 IPC as also U/S 25(A) and 26 of the Arms Act and chargesheets have been submitted. The case U/S 399/402 has been committed to the Court of Sessions and the case under the Arms Act is pending trial before a Judicial Magistrate. It is submitted that when this information was received by the employers for reasons of security the employer decided to terminate the services of Shri Khan because he was absenting from duty without permission and without satisfactory cause from 1-5-76 and that he never informed the management nor asked for any leave and thereby committed misconduct for absenting for more than 10 days. Secondly the allegation against him had serious bearing in the very nature of his work for which Shri Khan was appointed and thereby he had forfeited the trust and confidence of the management and hence his service was dispensed with. It is further submitted that the management came to the conclusion that any further retention of Shri Khan was not in the interest of the organisation and hence the order of dismissal is legal and valid.

4. The point for consideration is as to whether the management was justified in dismissing Sri Shamsad Khan, Night Guard with effect from 15-12-76. If not, to what relief the workman is entitled.

5. The management in support of their case has filed the F.I.R. as also the chargesheet of the said case which have been proved by MW-1 Sri Mukhtar Singh, Officer-in-charge who arrested the concerned workman and drew up F.I.R. against him. On behalf of the workman the workman has examined himself and has also filed the letter of dismissal Ext W-1 and the judgement of the Asstt. Sessions Judge dated 23-12-80 showing that he was acquitted in the aforesaid criminal case U/S 399/402 I.P.C.

6. The evidence of MW-1 is that while he was on patrolling duty he was informed that some persons were going to commit dacoity on Tetulmari side on Tempo No BHR-2090. He along with other Policemen followed the Tempo and found it standing in a lonely place. The passengers began to run away and after chase two persons Bulu Yadav and the concerned workman were arrested and on search a pipegun was recovered from the waist of Shri Khan besides two live cartridges from his pocket. He drew up F.I.R. Ext M-1 and subsequently chargesheet Ext M-2. No other witness has been examined to corroborate the evidence of the Officer-in-charge. As against this the workman examined himself as MW-1. He has stated that on the alleged date of occurrence he was returning back from Katras in a Tempo for coming to Loyabad. When he proceeded to some distance some Policemen came on which some passengers began to run away. He stood up near the Tempo and the police arrested him and directed him to the Police Station. At the Police Station he was not released and he was sent to the custody from where he was released after two months 10 days. He went to the management to join his duty but was informed that he had been dismissed.

7. At the time of argument the management did not press the point regarding the maintainability of the present reference. The only argument made on behalf of the management is that because the workman had been arrested in a serious case and some Arms had been recovered from his possession and he was a Night Guard and his duty was to guard the company's property, hence on the above prima-facie of the case the company lost confidence on him and dismissed him from service. The case of misconduct has not been pressed in this case as admittedly no charge-sheet was submitted against the concerned workman nor any departmental enquiry was conducted against him for alleged misconduct though from the letter of dismissal Ext. W-1 dated 15th/16th December '75 it will appear that he had been dismissed on two counts viz. for remaining absent without permission and without satisfactory case for more than 10 days from the aforesaid offence under J.P.C.

8. It is, therefore, to be seen as to whether there was sufficient evidence before the management to show that the management had lost confidence on the concerned workman. Admittedly the concerned workman did not commit any act prejudicial to the management so that it can be said that the management had lost confidence on him. It is true that according to the police the workman was arrested and some unauthorised arms were recovered from him, but the statement on this point is the solitary statement of the Officer-in-charge, which has not been corroborated by any other witness. No doubt a chargesheet was submitted against the applicant but he has been acquitted during trial. In this connection para 6 of the judgement of the Asst. Sessions Judge is also material. From the said para it will appear that none of the PWs supported the prosecution case on the point of recovery of gun, cartridges etc. Secondly the prosecution did not even produce all these incriminating articles before the Court for exhibit in the case. In the F.I.R. it was stated that on hullah raised by the police some Beldars of the muhalla came but not a single Beldar was examined in support of the case.

9. In view of the above facts the concerned workman got clean acquittal. Before this Court also there is simply the uncorroborated testimony of the Officer-in-charge. Further as stated earlier there is nothing to show that the concerned workman had committed any act prejudicial to the management. The concerned workman has also stated that he was coming to Loyabad on a Tempo in question like a passenger and he was arrested. He denies that any incriminating article was recovered from him. There is nothing in his evidence to show that he has come to speak incorrectly. Further the time of occurrence is not such as can be said that during that hour of the day the culprits would go to commit dacoity in a village.

10. All these evidence and circumstance go to indicate that at best the police arrested the concerned workman on mere suspicion but he was found not guilty.

11. In these circumstances it cannot be held that there was sufficient evidence before the management to hold the concerned workman guilty of the fact that the management had lost confidence on him. The concerned workman remained under mental agony for several months due to arrest by the police and it will not be justified that for a case not proved against him he should lose his livelihood also.

12. Considering the evidence and circumstances of the case, I hold that the dismissal of the concerned workman is illegal and unjustified as there was no cogent evidence to show that the management had lost confidence on him.

13. As the dismissal is held to be unjustified and illegal, the workman is entitled to be reinstated in service with full back wages.

14. I give my award accordingly.

Dated the 2nd May, 1981

J. N. SINGH, Presiding Officer

[No. I-20012/126/79-D. III (A)]

S.O. 1640.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Jamadoba and Digwadih Collieries of Messrs. Tata Iron and Steel Company Limited, Post Office Jamadoba, District Dhanbad and their workmen, which was received by the Central Government on the 11th May, 1981.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 8/80

PARTIES :

Employers in relation to the management of 6 & 7 Pits Jamadoba and Digwadih Colliery of M/s. Tata Iron & Steel Co. Ltd., P. O. Jamadoba, Dist. Dhanbad.

AND

Their workmen.

APPEARANCES :

For the Employers—Shri S. S. Mukherjee, Advocate.

For the Workman—Shri S. Rose, General Secretary, R.C.M.S.

Industry : Coal.

State : Bihar

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1)(d) of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication by their Order No. I-20012/155/79-D. III(A) dated the 19th January, 1980.

SCHEDULE

"Whether the demand of the workmen of M/s. Tata Iron and Steel Co. Ltd., P.O. Jamadoba, Dist. Dhanbad that Sarvashri N. Prasad, B. N. Mukherjee and Ali Imam, Cap Lamp Repairers of 6 & 7 Pits Jamadoba Colliery and Digwadih Colliery should be given Clerical Grade-II categorisation, is justified? If so, to what relief are the said workmen entitled?"

2. The case of the concerned workmen is that the management M/s. Tata Iron & Steel Co. Ltd., have got five collieries in the Jharia coalfield including Jamadoba Colliery and Digwadih Colliery and in each colliery a large number of cap lamps are maintained which are issued to underground workers at the beginning of the shift and they are returned by them when they come up after duty. The cap lamps are kept, maintained and issued from lamp cabin which is managed by the Lamp Room in-charge, Junior Assistant Lamp Room in-charges, Lamp Issuers, Lamp Fitters, Lamp Chargers and Lamp Mazdoors. In the Coal mining industry the job description, categorisation and wage scales are determined by Majumdar Award as modified by the decision of the Labour Appellate Tribunal, recommendations of the Coal Wage Board, National Coal Wage Agreements No. I & II. It is however stated that neither of the National Coal Wage Agreements revised the job description or categorisation earlier done by the Coal Wage Board, but they simply revised the wage scales of different categories. The concerned workmen are working as Cap Lamp Repairers but their job description and categorisation does not find any mention in either of the above recommendations. It is submitted that the job of cap lamp repairer is more or less analogous to the job of Lamp Fitter and in the report of the Coal Wage Board Lamp Fitter was placed in Category IV & V. It is further stated that in the collieries of the management the concerned workmen were placed in Category IV. According to the Coal Wage Board however the Lamp Room in-charges have been placed in clerical Grade I and for becoming a Lamp Room Incharge a qualified workman has to undergo a special training organised by the manufacturers of the cap lamps. It is stated that the concerned workmen received intensive training and they deserve category V as recommended by the Coal

Wage Board, but in spite of repeated representation the management refused the same. According to them they have to perform many jobs in addition to the job of Cap Lamp Repairer such as preparing and maintaining of several registers which are actually the duties of the Cap Lamp Incharge and Lamp Issue Clerks and that the management imposed these duties on them without considering their claim for higher grade or better remuneration. It is stated that in Jamadoba colliery there is no Junior or Asstt. Lamp Room Incharge or even Lamp Issue Clerks and the concerned workmen approached the management several times for reviewing their case and placing them atleast in Clerical Grade II, but it was not allowed. The union also raised the dispute but to no effect and finally it has been referred to this Court. It is submitted that on the basis of actual work done by the concerned workmen they are entitled to the post of Junior/Asstt. Lamp Room Incharge which has been placed in Clerical Grade II by the Coal Wage Board.

3. According to the management, however, the claim as made by the concerned workmen is not sustainable. It is submitted that the demand for giving clerical grade II as mentioned in the schedule of reference is incompetent in law and is liable to be summarily rejected. It is stated that as a part of the job of cap lamp repairer the concerned workmen had to maintain log book in order to keep the records of their day to day work and there is only one post of Cap Lamp Incharge in each colliery and promotion to that post is given to the senior-most employee who had completed the training. It is also stated that there is no post of Junior/Asstt. Cap Lamp Repairer under the management. According to the management the Cap Lamp Repairers were in Category VI as per recommendations of the Mazumdar award but the Wage Board recommendations compressed the ten old categories into six categories and accordingly the Cap Lamp Repairers were placed in Category IV and therefore the concerned workmen have been placed in that category. It is submitted that the Clerical Grade II demand is relevant only to a particular category of employees who are doing clerical work or whose work is clerical in nature, but the job of a Cap Lamp Repairer is technical in nature.

4. Both the parties have also filed rejoinder in which similar contention have been made.

5. The point for consideration is as to whether the demand of the concerned workmen for giving them Clerical Grade II categorisation is justified and to what relief they are entitled.

6. The first contention raised on behalf of the management is that the demand as mentioned in the Reference was never raised by the concerned workmen and hence the Reference is incompetent. In support of it the management has filed Ext. M-1 which is the demand placed by the union before the A.L.C. From a perusal of the above document it will appear that the demand was that in consideration of the qualification and the nature of job performed these workmen are entitled to be designated as Asstt. Cap Lamp Incharge. The management gave a reply to the above demand vide Ext. M-2. Thus from the above document it will appear that the concerned workmen demanded that they are entitled to be designated as Asstt. Cap Lamp Incharge. The demand was not for clerical Grade II. It is not denied that there is no post of Asstt. Cap Lamp Incharge under the management and the Tribunal cannot direct the management to create such a post. From the Coal Wage Board recommendation page 56 Vol. I it will appear that the ten categories made by the Mazumdar Award were placed in six categories and accordingly the concerned workmen were placed in Category IV by the management. Their work is similar to that of a Cap Lamp Fitter. It also cannot be denied that the work of Cap Lamp Repairer is of a technical nature and in course of their duty they may maintain or they maintained log book and some other registers even if their contention is said to be correct, but the main duty is of a technical nature and not of a clerical nature. The concerned workmen have no doubt examined themselves and have stated that they maintain certain register. It is however admitted by them that there is no post of Asstt. Cap Lamp Incharge under the management. The management however has examined MW-1 Sri T. P. Singh who is working as Ventilation Officer. He has described the duties of Cap Lamp Repairers which are purely technical in nature.

He has further stated that the work of Cap Lamp Repairer and the Cap Lamp Fitter is the same. A Cap Lamp Fitter has admittedly been given Category IV.

7. On behalf of the workmen certain documents have been filed but they are not very material. Ext. W-1 is a letter of September '63 giving some direction to the staff of Cap Lamp Cabin regarding maintenance of cap lamps. Similar is the letter Ext. W-2 and Ext. W-3. The same is with regard to Ext. W-4. From Ext. W-5 it will however appear that during sick leave of the Cap Lamp Incharge, one of the concerned workmen namely Sri N. Prasad was directed to act in his place for which he got the acting allowance. This letter also does not help the concerned workmen as Sri Prasad being the senior-most among the cap lamp repairers was put in-charge of Cap Lamp Cabin during his absence. Ext. M-3 to M-5 are the service cards of the concerned workmen which shows that they have been given Category IV.

8. Thus there is nothing on the record to prove that the concerned workmen are doing mainly the duties of clerical nature so as to enable them the categorisation of Clerical Grade II. Their work is purely technical and as their job is similar to Cap Lamp Fitter, they have been rightly placed in Category IV. It is no doubt true that in course of their technical work they may have to maintain certain registers but that alone will not entitle them to get the grade of Clerical Grade II.

9. Considering the evidence on record, I hold that the concerned workmen are not entitled to be given clerical Grade II categorisation and they are not entitled to any relief.

10. I give my award accordingly.

Dated the 28th April, 1981.

J. N. SINGH, Presiding Officer

[No. L-20012(155)/79-D.III(A)]

A. V. S. SARMA, Desk Officer

New Delhi, the 12th May, 1981

S.O. 1641.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the Industrial dispute between the employers in relation to the management of Oil India Limited, Duliajan, Assam and their workmen, which was received by the Central Government on the 5-5-81.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL : CALCUTTA

PRESENT :

Mr. Justice R. Bhattacharya, M.A., B.L., Presiding Officer.

Reference No. 16 of 1977

PARTIES :

Employers in relation to the management of Oil India Limited, Duliajan, Assam.

AND

Their Workmen.

APPEARANCES :

On behalf of Employers.—Mr. J. P. Bhattacharya, Advocate, with Mr. P. C. Deka, Advocate.

On behalf of Workmen.—Mr. J. Dutta Gupta, Advocate.

STATE : Assam

INDUSTRY : Oil

AWARD

This is a Reference sent to this Tribunal under Sec. 10 of the Industrial Disputes Act, 1947 by the Government of India on the basis of Order No. L-30012/2/77-D.III(B) dated 4-6-77 for adjudication of an industrial dispute between the management of Oil India Limited, Duliajan, Assam, hereinafter referred to as the "Company" and their work

man Ashutosh Das Gupta in the following terms as mentioned in the Schedule to the Reference :

“Whether the action of the management of Oil India Limited, Duliagan, Assam in dismissing Shri Ashutosh Das Gupta, Regd. No. 9/2671 with effect from 12-4-72 is justified and if not to what relief is the workman entitled ?”

The notice was sent by the Central Government to the concerned workman Ashutosh Das Gupta and not to any Union or any representative body of the workmen which clearly shows that the industrial dispute was considered in terms of Section 2A of the Industrial Disputes Act, 1947, hereinafter referred to as the “Act.”

2. Both the Company and the concerned workman filed their written statement. The case of Ashutosh Das Gupta in its written statement shortly stated is that he was served with a chargesheet alleging that he had stolen company's property, namely, two pieces of aluminium bronze from the workshop and that the said properties were recovered from this person at the industrial area gate. He replied to the chargesheet and thereafter a domestic enquiry was held in which he was found guilty of the charges and consequently he was dismissed from service. Subsequently the company applied for necessary approval under Section 33(2)(b) of the Act. The allegations in the written statement of the concerned workman are that the order of dismissal was illegal, mala-fide and without any basis, that the domestic enquiry was not held according to the provisions of the Standing Orders of the Company, that the domestic enquiry was conducted in violation of the principles of natural justice, that the findings of the Enquiry Officer were perverse and that the findings of the Enquiry Officer were bad for non-examination of material witnesses at the enquiry. Besides the domestic enquiry a criminal prosecution was started against him and another Gokul Koch and that the enquiry should not have been held during the pendency of the criminal case. The prayer of the workman is that he should be reinstated in service with all benefits.

3. Briefly stated, the company's case in the written statement is that the present dispute is an individual dispute and that the reference though stated to be a collective dispute does not mention Section 2A of the Act. On this ground the Company wants to say that the reference is untenable. The company has denied the materials allegations, made by the concerned workman. It has been stated that the workman concerned was charged with misconduct for theft of company's property from the workshop and a chargesheet was given to the workman. A domestic enquiry was held according to the Standing Orders of the Company giving all opportunities for self-defence by the workman who exercise his option by citing a co-worker to represent him at the enquiry. He examined his defence witnesses and the domestic enquiry was held according to law. The company's witnesses were cross-examined and on consideration of the evidence collected at the enquiry the Enquiry Officer found him guilty of the charge. The Head of the Department in which the concerned workman worked passed the order of dismissal. Thereafter the workman made an appeal to the higher authority who concerned with the findings of the Enquiry Officer and confirmed the order of dismissal. As at the relevant time a reference under Section 10 of the Act was pending before the Tribunal, an application under Section 33 (2) (b) of the Act was filed and the order of dismissal was approved by the Tribunal on hearing the parties. The order of dismissal was passed on consideration of the gravity of the charge and in the absence of any extenuating circumstance taking into account the past record of service. The Company acted bonafide and uninfluenced by any consideration of victimisation or unfair labour practice. It is also stated that the findings of the Enquiry Officer are based on evidence. According to the Company Ashutosh Das Gupta is not entitled to get any relief.

4. In this case Mr. J. Dutta Gupta, learned Advocate appeared on behalf of the workman and Mr. J. P. Bhattacharya, learned Advocate with Mr. P. C. Deka, learned Advocate appeared on behalf of the Company. On each side one witness was examined. Several documents have been exhibited on both the sides.

5. Mr. Dutta Gupta for the workman has urged three points. First it has been contended that the enquiry was bad as the provisions of the Standing Orders of the Company were not followed and as no sufficient opportunity was given to the workman for his self-defence. Secondly, it has been urged that the findings of the Enquiry Officer were not based upon evidence and the same were perverse. In this connection it has been submitted that particularly a document dated 3-3-72 was considered by the Enquiry Officer without giving any opportunity to the workman to go through it. Lastly, the argument of Mr. Dutta Gupta is that even if it is found that the workman is guilty of the charge framed against him, the order of punishment by way of dismissal from service was too harsh to be inflicted and that a lesser penalty should be awarded.

6. In reply Mr. Bhattacharya's argument is that there is no defect in the domestic enquiry, that the procedure of natural justice and the provisions of Standing Orders of the Company were followed and that sufficient opportunity was given to the workman for self-defence. It has also been contended that the findings of the Enquiry Officer were based upon evidence and quite reasonable. The document referred to by Mr. Dutta Gupta dated 3-3-72 was not considered by the Enquiry Officer for coming to his findings. Lastly the submission of Mr. Bhattacharya is that the order of dismissal on the finding of guilt of the delinquent was legitimate and normal and that no lesser punishment should have been sufficient and justified.

7. Regarding the first part of the argument of Mr. Dutta Gupta that proper procedure was not followed in the matter of domestic enquiry and that no sufficient opportunity was given to the delinquent, the first line of attack is that the concerned workman was not given any opportunity to submit a written explanation against the chargesheet. The contention of Mr. Dutta Gupta is that in the chargesheet there should have been clear mention that the delinquent was to submit an explanation in writing. My attention was drawn to the Standing Orders of the Company, marked Ext. M-11. Disciplinary action for misconduct and procedure have been laid down in part XIV of Ext. M-11. XIV(2) is the procedure. It is stated that no punishment may be awarded unless the workman has been informed in writing of the alleged misconduct and has been given an opportunity to explain the circumstances alleged against him and that in the departmental enquiry the workman may call a co-worker of his choice to help him. I have gone through the entire Standing Orders. Nowhere has it been stated that after the service of the chargesheet relating to any misconduct any opportunity should be given to submit any explanation in writing before any domestic enquiry starts. In my view according to the procedure before any workman is penalised for any misconduct he might be given an opportunity to explain the circumstance if any against him and that he should be given full opportunity for his self-defence at the departmental enquiry. It will be sufficient compliance with the Standing Orders if the Company serves the chargesheet upon the delinquent and the said delinquent is given all reasonable and possible opportunity for his self-defence and to explain the circumstance appearing against him after Company has adduced evidence incriminating him in the alleged misconduct. I must say, therefore, that in the present case, as the charge shows, he was informed about the allegations against him and that he was further asked to mention any co-worker to represent him at the enquiry. Ext. M-1 shows that the allegation against the concerned workman was that he had stolen Company's property, namely, two pieces of aluminium bronze weighing 490 kg. approximately from the workshop and that the article was recovered from his possession at the industrial area gate by the Security personnel on 3-3-72 at 10 A.M. In the chargesheet he was asked to mention the name of a co-worker to help him and it appears that he mentioned the name of Munim Gogoi. The enquiry was to take place on 16-3-72. The absence of asking the delinquent to submit a written explanation to the charges does not vitiate the domestic enquiry; neither does it cause any prejudice against the self-defence of the delinquent. The delinquent was quite at liberty to place his defence at the time of enquiry if he so liked. In this connection my attention has been drawn by Mr. Bhattacharya to the case of Motor Industries Company Ltd. vs. D. Narayanappa and another reported in 1978 I.L.J. 443. In that case considering the Standing Orders of the Company it was held that explanation in writing was not necessary. In the present

case before me I hold that the Company was not required to inform the delinquent in the chargesheet that he was to submit any written explanation against the allegation. Moreover the delinquent had the advantage of not disclosing his case or defence before the evidence of the Company.

8. Next it has been argued by Mr. Dutta Gupta that the delinquent did not get any proper chance for self-defence because there was only 2 day's gap in between the date of service of the chargesheet upon the delinquent and the date fixed for domestic enquiry. It appears from evidence that the chargesheet was served upon the concerned workman on 14-3-73 and the enquiry was to be held on 16-3-72 at 8 A.M. at the workshop of the Company. The evidence further shows, as will appear from the records of the proceeding and the papers, connected therewith, that the delinquent Asutosh Das Gupta submitted an application for adjournment of the hearing fixed on 16-3-72 and asked that the domestic enquiry might start on 20th March, 1972 as the co-worker who was to help him at the enquiry was not available. The prayer was granted as requested by the delinquent. The enquiry was held on 20-3-72 with the examination of the Company's witnesses. Moreover there was no complaint either at the time of enquiry or before it from the side of the delinquent that the time was too short for his self-defence. The delinquent was examined before this Tribunal. He did not also make any grievance on this point. I cannot, therefore, say that for want of sufficient time the delinquent was prevented from defending himself.

9. I have gone the evidence both oral and documentary and I find that at the enquiry the delinquent was represented by a co-worker of his. Company's witnesses were examined first. They were cross-examined by the delinquent and also his representative. Neutral witnesses were present at the enquiry. The delinquent, his representative and all persons who were present at the enquiry gave their signatures in the records of the proceeding. After the examination of the Company's witnesses, the delinquent and his witnesses were examined. The evidence was duly admitted and recorded by the Enquiry Officer. There was no complaint from the side of the delinquent regarding the enquiry or its proceedings. The delinquent himself gave evidence and examined witnesses to place the defence case as well as to rebut the evidence adduced on the side of the company. I find that all possible and reasonable opportunities were given to the delinquent for his self-defence and that in the domestic enquiry principles of natural justice were adopted and followed. I do not find any fault or defect in the domestic enquiry and its procedure which might vitiate the same.

10. It has been next contended by Mr. Dutta Gupta that the findings of the Enquiry Officer were not based upon proper evidence and that a letter dated 3-3-72 marked Ext. W-2 before this Tribunal was used by the Enquiry Officer without giving any copy to the delinquent. The evidence on this point is, as I get from the Enquiry Officer himself, that it was a complaint from the Security Officer regarding the recovery of articles and that it was received by the Enquiry Officer along with the chargesheet. The Enquiry Officer has further stated that he returned this document to the Chief Engineer along with the papers of enquiry. The Officer has denied the suggestion that this letter was given to him during the enquiry by any of the witnesses of the Company or that he received the same during the enquiry. The Enquiry Officer has stated that as it was given during the enquiry, he did not show it to the delinquent or to anybody else. He did not give any copy of the letter to anybody. The Enquiry Officer has denied the suggestion thrown from the side of the delinquent that while coming to his findings he considered the document. The witness has asserted that he did not consider the letter while he gave his finding. This letter is dated 3rd March, 1972 signed by the Security Officer on the same date informing the Chief Engineer that on that date at 10 A.M. the delinquent Asutosh Das Gupta and another were challenged at the industrial gate of the Company and after the search of their persons with the help of two persons named there, four pieces which looked like aluminium bronze, wrapped in clothes and concealed in the wearing pants and sweaters of the persons concerned were recovered. Practically this was an information given to the Chief Engineer by the Security Officer immediately after the occurrence. Mr. Dutta Gupta's argument is that this piece of document caused

bias in the mind of the Enquiry Officer against the delinquent and that this was used without giving any opportunity to the delinquent to challenge the correctness of the same. I am afraid, this argument cannot be accepted. First of all, the clear evidence is that this piece of document was not used by the Enquiry Officer in the matter of consideration of the allegation made against the delinquent and for coming to his findings. The evidence is that it was sent along with the chargesheet and it was returned along with the papers of the enquiry and the Enquiry Officer never used it either at the enquiry or at any time for coming to his decision. I have gone through the findings of the Enquiry Officer. I do not find any reference to this document nor any indication that the Enquiry Officer considered this piece of documents. I reject the contention of Mr. Dutta Gupta.

11. Next in a general way Mr. Dutta Gupta argued that there is no sufficient evidence for finding the delinquent guilty of the charge. I have gone through all the papers of enquiry wherein it will appear the evidence of the Company's witnesses and the witnesses of the delinquent. Several witnesses were examined on the side of the Company at the enquiry. The delinquent's evidence was recorded and his witnesses were also examined. It appears that the Enquiry Officer considered the evidence of all the witnesses both on the side of the complainant as well as on the side of the delinquent. Best, necessary and important witnesses were examined on the side of the Company including the persons responsible for challenging the delinquent at the industrial gate while coming out from the workshop and in whose presence the article in question were recovered from the person of the delinquent. The evidence of the Company's witnesses shows that aluminium bronze was recovered from the person of the delinquent. The allegation made in the chargesheet was proved by evidence gathered at the enquiry which took place within a very short time from the date of occurrence. The evidence adduced on the side of the delinquent was thoroughly unacceptable as against the weighty evidence of the Company. It appears from Ext. M-12, the findings of the Enquiry Officer that he accepted the evidence on the side of the Company and rejected the story appearing through the evidence adduced on the side of the delinquent. I find that the findings of the Enquiry Officer are very much reasonable and acceptable as supported by the evidence adduced on the side of the Company. His findings are justified and the same are based upon acceptable evidence. I cannot say in any view of the matter that the said findings are unacceptable, unreasonable or perverse.

12. Mr. Dutta Gupta's grievance is that the Enquiry Officer did not discuss at length the reasons for his accepting the evidence of the Company and rejecting the evidence of the delinquent. After all the Enquiry Officer is not a judicial officer. It is not expected that he should give reasons and discuss matters in his findings and decisions just like a judicial officer but the fact remains that he considered the evidence collected at the domestic enquiry and as per his conviction he found Asutosh Das Gupta guilty of the charge framed against him. In this connection it was alleged that two pieces of bronze alleged to have been recovered from the persons searched were not made exhibits at the time of enquiry. The evidence shows that those two pieces of bronze were not marked exhibits. It appears from the evidence at the enquiry that the person who handed over the two pieces of bronze to the persons concerned at the workshop on the date of occurrence was examined and according to his evidence he saw those two pieces of bronze at the Police station. He has stated that they were issued to the delinquent on the date of occurrence. However, it does not matter whether those bronzes were made exhibits or not but it has been proved that the bronze materials were seized from the miscreants on the date of occurrence and those materials belonged to the company. However, I find no substance in the second branch of argument advanced by Mr. Dutta Gupta on the question of merit of evidence at the enquiry. I find that the findings of the Enquiry Officer were reasonable, correct and based upon evidence. They are not perverse.

13. The last and the third branch of argument of Mr. Dutta Gupta is with regard to the question of punishment. His submission is that this Tribunal should under Sec. 11A of the Industrial Disputes Act reduce the punishment of dismissal to a lesser punishment so that the delinquent may

be kept in the employment of the Company. Mr. Dutta Gupta has argued that this is the first offence of theft of the delinquent and, therefore, it should be condoned. For this purpose he has relied upon the certified copy of the order of acquittal passed in favour of the delinquent in connection with the criminal case started against him and another from whose person the bronze materials were seized. That certified copy of the judgment has been marked Ext. W-1. This judgment shows that the Judicial Magistrate who tried the delinquent and another for the occurrence in question acquitted him of the charge under Sec. 380 of the Indian Penal Code. Mr. Dutta Gupta made an attempt at first to argue that according to the findings of the learned Magistrate when the case was doubtful, the Enquiry Officer ought not to have found the delinquent guilty. I cannot accept this contention. First of all, the findings appearing in the judgment cannot be considered with reference to the decision of the Enquiry Officer in a domestic enquiry held immediately after the occurrence and prior to the decision of the said Magistrate. Only the ordering portion, namely the order of acquittal will be relevant to show that in a criminal case the delinquent was acquitted because the evidence adduced before the learned Magistrate was not sufficient for conviction and beyond the shades of reasonable doubts. The findings of the Enquiry Officer show that on the date of occurrence the offending material was seized from the person of the delinquent and this finding was supported by evidence. The allegation was serious and according to the Standing Orders of the Company it was a theft and was, in any view, dishonesty in connection with the Company's property being a misconduct defined and for such misconduct the concerned workman may be dismissed. In the present case when the delinquent was found guilty of such a misconduct which is of serious consequence particularly in an industry and when the management has lost confidence in the delinquent, no lesser punishment should be awarded by keeping the delinquent in service. I do not think that any lesser punishment will do justice in the present case. I, therefore, hold that the order of dismissal as passed by the authority was legal and justified.

14 No other point of any significance has been argued before me and I find that the action of the management of the Company was legal and justified in the facts and circumstances of the case and the workman concerned can get no relief whatsoever.

I pass an award accordingly.

Dated, Calcutta,

The 27th April, 1981.

R. BHATTACHARYA, Presiding Officer.

[No. L. 30012(2)/77-D.III(B)]

K. K. HANDA, Under Secy.

New Delhi, the 21st May, 1981

S.O. 1642.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay, in the industrial dispute between the employers in relation to the management of Life Insurance Corporation of India, Bombay and their workman, which was received by the Central Government on the 15th May, 1981.

BEFORE SHRI P. RAMAKRISHNA, PRESIDING OFFICER,

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL

NO. 2, BOMBAY

Reference No. CGIT-2/47 of 1980

PARTIES :

Employers in relation to the management of The Life Insurance Corporation of India, Bombay

AND

Their Workmen

APPEARANCES :

For the Employers Shri Y. Ramachandran, Asstt. Secretary (Personnel).

For the Workmen Shri M. P. More, Advocate.

STATE : Maharashtra

INDUSTRY : Insurance

Bombay, the 30th April, 1981

AWARD

The Government of India, in the Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947) referred the following industrial dispute to this Tribunal for adjudication under its order No. L-17012/7/80-D. IVA dated 8-10-1980 :—

"Whether the action of the management of the Life Insurance Corporation of India in relation to the office of the Senior Divisional Manager, Bombay in compelling Shri R. G. Patkur, Peon, to retire with effect from the 18th October, 1980 is justified? If not, to what relief is the concerned workman entitled?"

The Western Zone Insurance Employees' Association which has espoused the cause of the workman herein has filed a written statement stating that the workman herein joined the service of the former Oriental Government Security Life Assurance Company (hereinafter referred to as Company) as a 'Chokra' (Boy Peon) with effect from 1-9-1938. In due course he was confirmed in that post. Later he became a Peon. In which capacity he was working on the eve of nationalisation of Life Insurance business in January, 1956. Subsequent to nationalisation he was promoted to the post of Head Peon. The date of birth of the workman as entered in the service record of the company was 18-10-1920. On 20th February, 1975 the Senior Divisional Manager of the Life Insurance Corporation required the workman herein to submit his School Leaving Certificate for verification of his date of birth as entered in the service records. The workman expressed his inability to produce the School Leaving Certificate. On 26-12-1975 the Senior Divisional Manager reminded the workman that he was bound to produce the certificate, failing which he would render himself liable for disciplinary action under the verifying instructions 1970 and staff regulations 1960. The workman in his reply once again expressed his inability to submit the School Leaving Certificate and requested the Corporation to accept the date for birth as originally entered in the service records of the former company. However, he supplied the address of the school which he attended to enable the corporation to obtain School Leaving Certificate. The Life Insurance Corporation corresponded with the school authorities and obtained the School Leaving certificate wherein his date of birth was given as 15-7-1923. After receipt of this School leaving certificate the workman requested the Life Insurance Corporation to accept the date of birth as given in the school leaving certificate in preference to the one given in 1938 at the time he joined service in the private company. The Life Insurance Corporation informed the workman that his date of birth as entered in the service records on the basis of extract from Horoscope viz. 18-10-1920 has been admitted by the Central Office and that the School Leaving Certificate was being returned. The workman raised an industrial dispute in this connection and demanded the Corporation to correct the date of birth as 15-7-1923 in terms of the School leaving certificate. The management not having acceded to his request the matter was referred to the Assistant Labour Commissioner (C) for his intervention. Efforts at conciliation having failed, failure of conciliation report was submitted to the Ministry of Labour. On receipt of the failure report the present reference was made to this Tribunal. According to the age as entered in the service record the workman was to retire on 18-10-1980 on completion of his 60 years of age. If the date of birth is corrected as per the School leaving certificate the date of superannuation would be 15-10-1983. The workman was actually retired from service with effect from 1-11-1980 and this order of reference

was passed on 8-10-1980. The workman prays that the correctness of the date of birth as entered in the School certificate may be accepted and he be retired from service on that basis with effect from 15-7-1983. It is further prayed that in case the relief of reinstatement is not possible he may be awarded compensation equivalent to the corresponding loss in salary and other consequential benefits for the period which he could not be reinstated.

The management of Life Insurance Corporation filed their written statement stating that the employee was a member of pension fund of the former Oriental Government Security Life Assurance Company and continued to be a member of the said fund even after the formation of the Life Insurance Corporation. So the date of birth as entered in the pension fund scheme has to be acted upon. They further submit that the workman having derived several pecuniary and other advantages on the basis of the date of birth given according to the horoscope he should not now be permitted to dispute the correctness of that date of birth. They further state that as per the terms of reference this Tribunal is not competent to decide which of the two rival dates of birth is correct. They pray that this reference may be answered against the workman.

The Life Insurance Corporation has filed rejoinder to the claim statement denying the correctness of the several averments made therein.

On the above pleadings the issues that arise for consideration are :—

- (i) Whether this reference is maintainable ?
- (ii) Whether it is open to this Tribunal to determine which of the two dates of birth is to be acted upon ?
- (iii) Whether the management was justified in retiring the workman from service with effect from 18-10-80 or 1-11-1980 ?
- (iv) To what relief ?

Point (i) :

The workman has examined himself as WW-1. The management has not chosen to lead any oral evidence on its behalf. The order of reference requires this Tribunal to consider whether the action of the management in compelling the workmen to retire from service with effect from 18-10-80 is justified. Shri Ramachandran for the Life Insurance Corporation submits that the actual date of retirement of the workman being the forenoon of 1-11-1980 the terms of reference are factually incorrect and on this account alone this reference has to be rejected as not maintainable.

Reliance is placed upon the case reported in 1963, I, LIJ, 507 (Ramamoorthy (W.P.A.R.) and others Vs. Tirunelveli District National Planation Workers' Union and others). In that case the order of reference directed the Tribunal to answer the question whether the non-employment of 34 workmen consequent upon the dissolution of the partnership firm was justified. The Tribunal found that the assumption in the order of reference that the 34 workmen were not employed consequent on the dissolution of the Partnership was incorrect. It found that the said workmen were unemployed since 1960, May i.e. long after the dissolution of the partnership firm. Nevertheless the Tribunal went into the question whether the management was justified in terminating the services of the said workmen and answered the question against the management and directed their reinstatement. In the Writ Petition filed against this order of the Tribunal the Court held that the Tribunal exceeded its jurisdiction in answering the question whether the termination of service of the workmen long after the date of dissolution of the partnership was justified. In this view of the matter the award was quashed. In this case the facts are different.

The point in controversy is not whether the workman was retired compulsorily with effect from 18-10-1980 or 1-11-1980 but the date on which he reached the age of superannuation whether on 18-10-80 or 15-7-83. On the basis of this controversy notice of demand Ex. W-12 was served on

the management and application for initiating conciliation proceedings Ex. W-11 was made before the Assistant Labour Commissioner (C), Bombay. The failure of conciliation report (Ex. W-10) also shows that the parties have joined issue before the Assistant Labour Commissioner (C) on this point only. The pleadings of the parties before this Tribunal also are to the same effect. Further I see no point in rejecting the order of reference on such technical grounds. It may also be noticed that there is no mistake in the order of reference.

According to the date of birth of the workman as entered at the time he joined the private company on 1-9-1938 was 18-10-1920. The date of superannuation for Class IV employees is completion of 60 years of age. On this basis the date of superannuation of the workman should be 18-10-1980; but according to the service rules of the former company a person would be retired at the end of the month in which he actually attained the age of superannuation. In accordance with this rule the workman was required to retire with effect from the afternoon of 31-10-1980 though he attained the age of superannuation on 18-10-1980.

Point (i) held against the management.

Point (ii) :

The facts are few and not very much in dispute. The workman joined the service of the former Oriental Government Security Life Assurance Company on 1-9-1938 as a Boy Peon (Chokra). Thereafter he was confirmed in that capacity with effect from 1-12-1938. The date of birth as entered in the service records was 18-10-1920. This was based on the extract from the horoscope, copy of which is filed as Ex. E-3. On the basis of this date of birth as originally entered the workman submitted the application Ex. E-4 to the management of Oriental Government Security Life Assurance Company praying for sanction of shaving allowance of Rs. 2 per month. In this application Ex. E-4 he gave his age as 20 years. He also was a member of the Pension fund of the Oriental Government Security Life Assurance Company. The printed book containing the rules and regulation of the pension fund is Ex. F-11. In that book Ex. E-4 his date of birth was recorded as 18-10-20 and his signature obtained. He has also taken out an Insurance policy giving the same date of birth as 18-10-1920. Thus for nearly 37 years the workman's date of birth was taken to be 18-10-1920. On 26-12-1975 the Senior Divisional Manager of the Life Insurance Corporation Bombay addressed a letter stating that by their letter dated the 20-2-1975 the Life Insurance Corporation requested the workman to submit his original School Leaving Certificate along with a copy thereof for verification of the date of birth and that the workman failed to comply with this request. He was told that if the original was not available he should obtain a duplicate certificate. In case he was unable to obtain the original or duplicate certificate he was asked to give reasons therefore with full address of his school and the year and standard in which he was studying when he left the school. If he was unable to obtain the School Leaving Certificate he was asked to submit some other authentic proof of age for their perusal. If he did not comply with the terms of this letter within 10 days from the date of receipt thereof he was warned that he would render himself liable for disciplinary action. The workman submitted a reply, copy of which is Ex. W-3 dated 29-12-1975 giving the name of the school last attended. He also stated therein that it was not possible for him to obtain the School Leaving Certificate from that school. He concluded the letter saying that :—

"I may also state here for your information that my age is already registered in Oriental Pension Fund on the strength of the horoscope. I request you to please get the information of my date of birth from Oriental Pension Fund Dept. Bombay."

Thereafter the Life Insurance Corporation seems to have corresponded with the school itself, on the address given by the workman in his letter Ex. W-3 and obtained the School Leaving Certificate Ex. W-5 wherein his date of birth is given as 15-7-1923. The Life Insurance Corporation informed the workman by their letter dated 19-5-1976 (Ex. W-4) that his date of birth was admitted by the Central office as 18-10-1920 in the service records on the

basis of the horoscope extract. The School Leaving Certificate was returned along with the letter. On the basis of his age as originally entered in the service records the workman was retired from service with effect from 1-11-1980. As already stated his efforts to have the date of birth corrected in accordance with the entries in the School Leaving Certificate have failed. It is not the case of the Life Insurance Corporation that the workman had manipulated the date of birth given in the School Leaving Certificate. The genuineness of the entries contained in the certificate Ex. W-5 is not disputed. It is also not disputed that the certificate at Ex. W-5 relates to the workman. The question is why the workman should not have been retired as per the date of birth given in the School Leaving Certificate. Shri Ramachandran for the Life Insurance Corporation submits that it is not open to this Tribunal to determine the question as to which of the two rival dates of birth is correct. It is submitted that the order of reference does not empower this Tribunal to embark upon such an enquiry. In deciding this case the Court will not address itself to the question as to whether the date of birth given in the School Leaving Certificate is more correct than the date of birth given at the time of the workman's entry into the service. The Court will merely decide which of the two dates of birth the Life Insurance Corporation should act upon and in my view this question is very much within the scope of the order of reference and the stand taken by the parties before the Assistant Labour Commissioner (C) at the time of conciliation and before this Tribunal.

Issue (ii) held against the management.

Point (iii) :

The Life Insurance Corporation issued instructions in 1970 regarding verification of date of birth of their employees. Under regulation No. 4 of Life Insurance Corporation of India Staff regulation 1960. Copy of the instructions issued in 1970 is marked as Ex. W-1. Instruction 4.2 provides that no order for entry shall be made except on the basis of a listed document relating to the employee concerned and unless the document demonstrably pertains to the employee and the authority passing the order is satisfied that it is the most authentic, it has not been tampered with and it can be relied upon that it shows the correct date of birth of the employee. Regulation 5 lays down that in case where no entry has been made, or where entry has not been made under these instructions the verifying authority shall take action for recording the date of birth of the employee in the staff record in accordance with these instructions. Reference is made to instruction 5(5), which reads as follows :—

"Where the employee has produced a single document being a document specified in Entry No. 1, 2 or 3 of the First Schedule or where such employee has not studied upto such level as to obtain a document specified in Entry No. 1 of the First Schedule and has produced a document specified in Entry No. 4 or 5 and in either case there is no report nor does he contend that his date of birth is shown differently in any other listed document which may be available and there is nothing in the files of the Corporation to show any other date of his birth, the verifying authority may order that his date of birth be entered in the staff record on the basis of the document produced by him if it is satisfied with the document produced."

Reference may also be made to the list of First Schedule where several categories of proofs of age are given. We are concerned with entries 5 and 9 of the said Schedule.

"5. Certificate issued by a School or other educational institution recognised by the appropriate Governmental authority in which the employee studied last.

.....

9. Original Horoscope prepared soon after the birth of the employee."

In the instant case the employee's date of birth in the service record of the Oriental Government Security Life

Assurance was entered on the basis of Horoscope. The workman as WW-1 stated that his father's native place was Mithbaon Taluka Deogad, Dist. Ratnagiri and his mother's Kot Kamte both in Taluka Deogad. According to his information his birth was not registered in the register of births at Kot Kamte. His father died during his second year of age and he was brought up by his maternal aunt's husband at Mithbaon. He was educated in the Mithbaon Marathi Vernacular School which he joined during his 5th year. He studied at this School for four years, upto second standard. For 2 or 3 years after he left the school he stayed at Mithbaon and in 1936 he left for Bombay in search of employment. In September, 1938 he secured a job of boy Peon in the Oriental Government Security Life Assurance Company. Before he was to be confirmed in service he was required to take out an Insurance Policy on his life from the company. The Insurance Agent furnished his date of birth to be entered in the policy by getting a Horoscope. He says the date of birth as admitted by the Insurance Company was entered in the Service records of the Oriental Government Security Life Assurance Company and the same date of birth continued till 1975. In his cross examination he stated that his mother who got him admitted into the school gave his date of birth as entered in the School Leaving Certificate. He admits that only after the Life Insurance Corporation obtained the School Leaving Certificate he became aware of the date of birth in the School Register.

There is no evidence to the contra led by the Life Insurance Corporation. Shri More for the workman submits that on the facts of the case there is only one listed document before the Life Insurance Corporation authorities to evidence the date of birth which is the School Leaving Certificate. In the absence of any other listed document the Life Insurance Corporation is bound to accept the date of birth as entered in the School certificate as per instruction 5(5) of the Instructions 1970. He further submits that the contention of the Life Insurance Corporation that they had the Horoscope before them on the basis of which the date of birth was originally entered cannot stand scrutiny. The Life Insurance Corporation purported to act on an extract from the Horoscope, photostat copy of which is marked Ex. E-3. The Horoscope as admissible in item 9 of the list should be the original horoscope prepared soon after the birth of the employee. There being no such document, the Life Insurance Corporation should have acted upon the date of birth as entered in the School Leaving Certificate.

Further in this case the Life Insurance Corporation was not satisfied with the correctness of the date of birth as entered in the service records and therefore insisted upon the School Leaving Certificate being produced in proof of age. Had the School Leaving Certificate disclosed that the workman was older than what he declared to be in the service records the Life Insurance Corporation certainly would have acted upon that evidence to retire the workman as per the date of birth entered therein. But the School Leaving Certificate disclosed that he was born three years later than the date of birth given in the original service records. Fairness requires the Life Insurance Corporation should respect that entry, the genuineness of which is not challenged at all. The contention of Shri Ramachandran that the workman having enjoyed the benefits that accrued to him on the basis of the date of birth as originally entered he should be estopped from disputing the correctness of the same. In support of that argument he relies upon Ex. E-4 the application dated 25-4-1940 submitted by the workman claiming shaving allowance of Rs. 2 per month. In that application he claimed that he was 20 years of age. The argument is that unless the workman was 20 years of age he would not have been entitled to shaving allowance. Having obtained this benefit on the basis of the date of birth as originally entered it is submitted he cannot question the correctness of the same. No rule is produced before me to show that a person would be entitled to shaving allowance only on completion of 20 years of age. In this view of the matter the question of estoppel does not arise. On the other hand Shri More for the workman submits that by giving the date of birth as 18-10-1920 the workman must have paid higher premium on his Insurance policies.

It is argued on behalf of the workman that the management had violated the principles of natural justice in not hearing the workman before deciding not to act upon the date of birth as entered in the School Leaving Certificate. The relevant order of the Corporation is Ex. W-4 which reads as follows :—

"We have to inform you that your date of birth has been admitted by the Central Office as 18-10-1920 in your service records on the basis of your horoscope extract.

Your school leaving certificate is returned herewith."

It is submitted that the above order does not show that the management had applied its mind to the question which of these two dates of birth before them was to be acted upon. No reasons are given for refusing to act upon the entry contained in the School Leaving Certificate nor was the workman given an opportunity to place his case in this regard. There is no material on the record to show that the workman was aware of the existence of the School Leaving Certificate by the date of that order. He does not seem to have put in any application before the management requesting them to correct the date of birth as per the entry in the School Leaving Certificate. Even after the above order Ex. W-4 the workman seems to have remained silent till 8-5-1979 when he raised the present dispute with the management for the first time through the Union. In the circumstances it cannot be said that the management violated the principles of natural justice in passing the order Ex. W-4.

Reliance is placed on the decision of the Supreme Court reported in 1965, II, LLJ, 437 (India General Navigation and Railway Company Ltd. and another Vs. Their workman) for the proposition that where there is a conflict between the date of birth entered in the Pension Fund Rules and the date of birth as entered in the School Leaving Certificate the former should be acted upon, especially where the correctness of that date of birth was accepted by the parties for a long period. The facts of the present case are altogether different. In the reported case the workman did not lead any evidence or file any affidavit to explain how the date of birth in the Pension Fund scheme came to be incorrectly entered. Whereas in the present case the workman has given evidence in that regard. Their Lordships observed that the extract of the School Leaving Certificate produced by the workman in that case would afford no assistance whatsoever to establish the identity of the boy with the workman before the Court. They went on to say that the workman himself had not appeared and taken oath to say that he had joined the school in 1918 and had he produced some other evidence to that effect, the position might have been different. In the instant case the management did not dispute the fact that the School Leaving Certificate related to the workman himself and there is evidence of the workman to that effect also.

Reference is made to the decision of the Delhi High Court reported in 1980 (I) SLR, 251 (Delhi Transport Corporation and another Vs. Shri Jivan Kishore) for the proposition. Unless the workman establishes that the horoscope on the basis of which his date of birth was entered in the Service record i.e. 18-10-1920 is wrong the said date of birth need not be corrected even on production of the School Leaving Certificate containing a different date of birth. On the other hand he went on relying on the date of birth originally entered in the service record (vide Ex. W-3). It is argued that in this case the workman has not led any evidence to show that the horoscope prepared in 1938 gave his date of birth incorrectly. But the original horoscope or copy thereof on the basis of which the workman's date of birth was originally entered is not produced before the Court. In fact the company seems to have only an extract of the horoscope. The workman as WW-1 states that without reference to him the Insurance Agent procured that horoscope in 1938 for the purpose of admitting his age in the Insurance Policy. He is definite that the date of birth as entered in the service record of the Insurance Company was not furnished by him. He is virtually illiterate. He seems to have studied upto II standard in his mother tongue. The date of birth entered in the service record was carried forward to the Pension Fund

and the same is got authenticated by the workman. Left to himself he would not have had any quarrel if the management had not insisted on a School certificate being produced to prove his age. It cannot be therefore said that the workman failed to establish that the date of birth shown in the horoscope extract is incorrect. The instant case is distinguishable from the facts of the reported case.

For the aforesaid reasons point (iii) held against the management.

Point (iv) :

This reference is therefore answered as follows :—

The action of the management of the Life Insurance Corporation of India in compelling the workman herein to retire with effect from 18-10-1980 (1-11-1980) is unjustified. The workman is held entitled to reinstatement with effect from the forenoon of 1-11-1980 on the footing that he would be attaining the age of superannuation on 15-7-1983 as per the date of birth recorded in the School Leaving Certificate. The workman will be entitled to his wages with all consequential benefits from 1-11-1980 till the date of reinstatement in pursuance of this Award.

P. RAMAKRISHNA, Presiding Officer

[No. L-17012/7/80-B. IV (A)]

S.O. 1643.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen, which was received by the Central Government on the 15th May, 1981.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL :
CALCUTTA

PRESENT :

Mr. Justice R. Bhattacharya, M.A., B.L., Presiding Officer.

Reference No. 2 of 1980

PARTIES :

Employers in relation to the management of Calcutta Port Trust, Calcutta.

AND

Their Workmen.

APPEARANCES :

On behalf of Employers.—Mr. D. K. Mukherjee, Labour Officer.

On behalf of Workmen.—Mr. Kamal Kumar Banerjee, Executive Committee Member of Union.

STATE : West Bengal

INDUSTRY : Port

AWARD

This is a reference under Section 10 of the Industrial Disputes Act, 1947 sent to this Tribunal by the Government of India by its Order No. L-32012/7/79-D. IV(A) dated 7th January, 1980 for adjudication of an industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta, hereinafter referred to as the "Port Trust" and their workmen represented by the General Secretary, Calcutta Port Sramik Union, hereinafter referred to as the "Union". The dispute to be decided has been mentioned in the schedule to the reference in the following terms :

"Whether the management in relation to the Calcutta Port Trust, Calcutta are justified in changing the recorded age of Shri Kanai Lal Das, Junior Supervisor, Diesel Engine Foreman's Section, Chief Mechanical Engineer's Department, from 20 years to 24 years as on 20th November, 1944 ? If not, to what relief is the concerned workman entitled ?"

The parties appeared and filed their respective written statement. A rejoinder to the written statement of the Union has been filed by the Port Trust.

2. Briefly stated, the case of the Union is that the concerned workman Kanai Lal Das was employed on 2-12-1944 by the Port Trust in class IV category when he was aged 20 years. At the time of his entrance into the service the Medical Officer of the Port Trust examined him and his age was assessed as 20 years correctly and the said age was entered in the Dock Dispensary Register by the Medical Officer. He was supplied with a Service book in which the age at the time of employment was recorded as 20 years. Kanai Lal during his employment enrolled himself as a member of the Cooperative Credit Society of the Port Trust and in connection with that he was to sign the confirmation register/service folio and at the time of signing the same he was shown a G 53 form alleged to be the original one where his age was written as 24 years on 30-11-44. Kanai Lal protested but it was of no avail. He filed an application for correction of his age to the Registrar, Dock Hospital but he did not get any relief. He also submitted his birth registration certificate issued by the Calcutta Corporation in support of his age. An industrial dispute was raised by the Union over the matter and during conciliation proceeding it was found that the original record of age in the Service sheet of Kanai Lal was unauthorisedly tampered. The change of record of the age of the concerned workman caused premature and forced retirement from service. According to the Union the age of the concerned workman should have been corrected in the Service sheet showing that he was 20 years at the time of employment and not 24 years as wrongly stated. The prayer of the Union is that Kanai Lal should be allowed to remain in employment according to the age of 20 years as on 20-11-1944.

3. According to the written statement of the Port Trust, prior to his appointment in the Port Trust Kanai Lal was sent to the Assistant Surgeon, Dock Hospital on 29-11-1944 for obtaining a certificate of age with a printed form G 53. That memorandum contained the thumb impression of Kanai Lal Das. After examining Kanai Lal the Medical Officer gave his opinion "age 24 yrs." and accordingly the date of birth of Sri Kanai Lal Das is 20 years as on 30-11-44, the date of examination as determined by the Medical Officer. That age will appear in printed G 53 form as stated by the Doctor himself. Just before a month of his retirement Kanai Lal made an application stating that his age was not properly recorded in his service records. An industrial dispute was raised by the Union and since the views of the parties were divergent, conciliation failed. It has been alleged in the written statement that the age of Kanai Lal as recorded by the Medical Officer on 30-11-44 was never changed. The entry in the service record, folio No. 12731 on the basis of Medical Officer's report was not also changed and that Kanai Lal accepted the date of birth by giving his signature. Accordingly Kanai was put off with effect from 1-12-78 on completion of 58 years of age. According to the Port Trust the claim of the Union is unjustified and the concerned workman can get no relief. I also find that in the rejoinder submitted by the Port Trust general denials have been made and nothing new has been inserted there for any particular notice.

4. When the matter was taken up for final hearing, it was admitted by both the sides that they would not adduce any oral evidence in this case but would rely upon the documents exhibited in the case as agreed to by the parties, formal proof of the documents being waived.

5. Mr. Kamal Kumar Banerjee, a member of the Executive Committee of the Union duly authorised appeared on behalf of the Union and Mr. D. K. Mukherjee, Labour Officer of the Port Trust represented the management.

6. The contention of Mr. Banerjee for the Union is that the Port Trust has withheld deliberately the dispensary register wherein the Doctor who examined Kanai Lal recorded the age of the workman concerned as 20 years. Kanai Lal was supplied with a Service book by the Port Trust and the said original Service book is produced in this case will show that at the time of employment the age of workman was 20 years. It has been further pointed out by Mr. Banerjee that the Service sheet which is like Service book directly copied from the dispensary register showing the age of the workman will also show that the age of the workman was recorded as 20 years but it was subsequently been tampered with unlawfully to say that the age of the workman was 24 years at the time of giving employment to him. The argument of Mr. Banerjee

is that even according to the Rules prescribed by the Port Trust in the absence of dispensary register and in view of the tampered Service sheet the age as recorded in the Service book supplied to the workman should have been accepted by the Port Trust. The grievance of Mr. Banerjee is that the employer has illegally and malafide prevented Kanai Lal from remaining in service till the attainment of the age of 58 years by unlawful and premature superannuation.

7. Mr. Mukherjee for the Port Trust has, however, argued that the original form G 53 shows the age of the concerned workman as 24 years at the time of his examination just before his employment under the Port Trust and that Service sheet will also show the same age and the said Service sheet was signed by the workman himself. The workman cannot, therefore, go against the Service sheet. Regarding the production of the dispensary register wherein originally the Medical Officer recorded the age of the workman, it is submitted that according to the rules of the Port Trust the said document being very old was destroyed along with other documents.

8. Before dealing with the contentions of the parties, I must, first of all, narrate the facts admitted by the parties. Before Kanai Lal Das was given employment in the Port Trust he was examined by a Medical Officer of the Port Trust and the said Medical Officer recorded his remark about the fitness and age of the candidate. That age was recorded in the dispensary register. From the dispensary register endorsement was copied on the G 53 form and also in the Service Book supplied to Kanai Lal. It is also admitted that the age as recorded in the Service sheet started in respect of Kanai Lal Das at the time of appointment was also taken from the dispensary register wherein the Medical Officer originally recorded the age of the workman concerned. We also get that Kanai Lal Das filed an application to the Registrar on 9th July, 1975 challenging the incorrectness of his age. Ultimately the said workman was retired by the Port Trust on 1-12-1978.

9. Let me now consider the evidence and the facts and circumstances to see how far the allegations and claim of the Union in respect of the concerned workman can be accepted. There is no doubt that before Kanai Lal Das was employed as Class IV employee in the Port Trust he was sent for medical examination with form G 53, with the thumb impression of the workman for his identity. The Medical Officer of the Port Trust examined him on 30-11-44 and the result of his examination was recorded in the outdoor patient register maintained at the dispensary. That register was in the possession of the Port Trust and the Union wanted production thereof. The Port Trust however filed an affidavit sworn by a competent person to say that the register of No. 3 Dock Dispensary of 1944 was destroyed as such register was to be maintained by the office of the Chief Medical Officer for only 12 years. Apart from that outdoor register no other record or register was to be maintained in Dock dispensary at that time for recording age. In view of this affidavit I cannot say that the statements explaining the non-production of the said dock dispensary register are not acceptable. The next document of importance according to the Port Trust is the G 53 form on which the age of the applicant was copied from the dispensary register. This has been marked Ext. M-1. This is dated 29-11-44. The date of examination will appear as 30-11-44 and the age is written there to be 24 years. This document may, therefore, at best be treated as secondary evidence the age being copied from the original document, the dispensary register which is not available. Ext. M-2 is the original Service sheet which was started after Kanai Lal Das had been employed by the Port Trust. Here against the column "age at the time of appointment" I find the original writing was "20 yrs." but subsequently by different ink '0' was struck off and in its place was written "4" and it thus became "24 yrs". Admittedly the age was written on this sheet from the original outdoor patient register. There is no initial by any officer competent or otherwise after this alteration of the age. No evidence or explanation has been given from the side of the Port Trust as to how and under which circumstances the age "20 yrs." was altered to "24 yrs". It will further appear from Ext. M-2 that the age as mentioned there was as on 30-11-44. It has been argued by Mr. Mukherjee that Ext. M-3, Service Register No. 12731, shows that the age of the concerned workman was mentioned as 24 years. Of course this age was not mentioned against any column printed there. It was something extra or added in the column "designation of appointment". It is argued that on this document Kanai Lal gave his signature on 29-10-69 and, therefore,

he accepted that age. It appears that in this document there is the signature of the concerned workman under some printed statement which says that Kanai Lal agreed to accept the service under the Port Trust with the clear understanding that his claims to pay and allowance are to be regulated by rules and so also the leave will be granted according to rules and further it was stated that the signatory understood that the Commissioners had right to change the rules from time to time. It is further stated that he read the conditions of service of which a copy was handed over to him. He also certified that he had no relatives either by birth or marriage in the Commissioner's service. These are the statements. There is nothing to indicate that Kanai Lal accepted the age mentioned on the previous page as correct or that he accepted the age of 24 years as contended by the Port Trust. This Ext. M-3 does not help the Port Trust. One important document exhibited on the side of the union requires consideration. This is the Service Book supplied by the Port Trust to Kanai Lal Das after his employment. There is no dispute about this fact. In this Service book it is clearly stated that the date of appointment was 4-12-44 and that the age of Kanai Lal was at the time of appointment 20 years. This is duly signed by some Officer on behalf of the Port Trust. It also bears the thumb impression of the concerned workman along with the pass-port size photo duly signed by the Officer of the Port Trust. No explanation has been given by evidence or otherwise how the age of 20 years should be wrongly written on the Service book. On the other hand, admittedly, this age was copied directly from the outdoor patient register where the Medical Officer recorded the age of Kanai Lal Das. One thing is very much striking in this case. In the original Service sheet, Ext. M-2, was written the age 20 years at the time of appointment of Kanai Lal Das but that has been altered to 24 years by different ink. This was also taken from the original outdoor patient register of the dock dispensary. In both exhibits, namely Ext. W-1, the Service book was well as in Service sheet Ext. M-2, the age of 20 years was written. The normal inference would be that when they were copied from the dock dispensary register the age of 20 years must have been recorded in that register. In the circumstances it is very reasonable to hold that the original Service book of the concerned workman which is untampered bears the correct age as was recorded by the Medical Officer who examined him, but unfortunately that register is not coming before us.

10. Apart from the considerations mentioned above, we find from Ext. M-5, a letter of the Port Commissioners' Secretary to the General Secretary of the Union regarding the recording of age of employees of the Chief Mechanical Engineer's Department. This is dated 17th March, 1960. The principles mentioned in this letter are admittedly followed in respect of class III and class IV employees of this department, Principle No. 3 mentioned in the letter is relevant for our purpose and it is quoted below :

"In cases where the age of an employee recorded in his Service sheet differs from that recorded in his Service book—(a) the age as recorded in the Service sheet should be accepted provided the Service sheet has not been tampered with, (b) if the record of age in the Service sheet has been tampered the age as recorded in the original Service book should be accepted provided the Service book has not been tampered with."

11. In the present case the workman concerned lodged a complaint regarding his age before the Registrar, Dock Hospital, through proper channel. There he stated that his age was 20 years and not 24 years and he requested for preparing fresh record. In reply it was stated by me officer on the petition itself that when G 53 form showed the age 24 years

on 30-11-44 that should be accepted as correct. This application is dated 9th July, 1975. The application has been marked Ext. W-3. In these circumstances in respect of the protest of Kanai Lal Das and his request for correction of age, the Port Trust did not follow the prescribed principles or rules but without giving proper consideration the prayer of the concerned workman was rejected. This sort of rejection was not reasonable and proper. It was dealt with in a sort of high handed manner. The Port Trust should have followed the principles already mentioned above as stated in Ext. M-5. In the present case the Port Trust did not consider the original Dock Dispensary Outdoor Patient register; the Port Trust ought to have seen that the age recorded in the Service sheet, Ext. M-2, was tampered with whereas the Service book was untampered and in these circumstances the Port Trust ought to have accepted the age as mentioned in the Service book, Ext. W-1. I have gone through the principles to be followed in the matter of recording or accepting the age of the employees as mentioned in Ext. M-5 and I do not find anywhere that the age, if any, appearing in G 53 form should be considered or accepted either in the present circumstance or in any other circumstances.

12. In this connection, I may only note that in paragraph 23 of the written statement of the Union it is stated clearly that the age appearing in the Service sheet was tampered with. The Port Trust filed a rejoinder to the written statement of the Union and it dealt with paragraph 23 of the Union but it is significant to note that regarding the tampering of age of the workman in the Service sheet has not been pointedly challenged. It has not been stated either why there was the overwriting and alteration in the age of the applicant in the Service sheet.

13. In view of my discussions and findings above, I am clearly of the view that the age of the concerned workman Kanai Lal Das was 20 years as on 30-11-44 appearing in the Service book and that the same age was correctly taken from the original outdoor patient register of the Dock dispensary already destroyed and not produced before this Tribunal and that although the same age namely, 20 yrs, was recorded originally in the Service sheet it was altered without any sufficient and reasonable cause and incorrectly. I also consequently find that the Port Trust acted illegally and without any justification or valid reason in retiring Kanai Lal Das from service on and from 1st of December, 1978.

14. In answer to the question posed in the schedule to the reference, my answer would be that the management in relation to the Calcutta Port Trust, Calcutta were not justified and acted illegally in changing the age recorded in respect of Kanai Lal Das, Junior Supervisor, Diesel Engine Foreman Section, Chief Mechanical Engineer's Department from 20 years to 24 years as mentioned there. I further find in answer to the second question regarding relief that Kanai Lal Das shall be deemed to be in service until he retires on the basis that he was aged 20 years on 30-11-44. The said workman shall get arrears of wages and all other benefits both monetary or otherwise according to the terms of his service. The Port Trust shall immediately allow him to work in his usual post giving him at least ten days' time in writing to join his service.

This is my award.

R. BHATTACHARYA, Presiding Officer

Dated, Calcutta

The 6th May, 1981.

[No. 32012/7/79-B.IV(A)]
NAND LAL, Desk Officer

